

EXHIBIT A

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Page 1

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ELIZABETH HORTON,

Plaintiff,

vs.

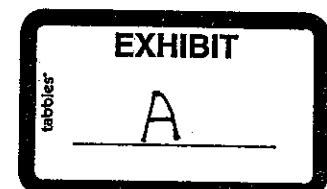
CIVIL ACTION NO.
2:06-cv-526-MHT-TFM

DON WILLIAMS, individually
and in his capacity as the
Manager of National Seating
and Mobility, Inc., NATIONAL
SEATING AND MOBILITY, INC.,
GERALD SHOCKLEY, individually
and in his capacity as
special agent of the Alabama
Attorney General's Office,

Defendants.

* * * * *

DEPOSITION OF ELIZABETH HORTON,
taken pursuant to notice and stipulation
on behalf of the Defendants, in the
offices of Bradley, Arant, Rose & White,
401 Adams Avenue, Suite 780, Montgomery,
Alabama, before Nicole Paulk, Certified
Shorthand Reporter and Notary Public in
and for the State of Alabama at Large, on
November 20, 2007, commencing at 9:05 a.m.



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Page 2	Page 4
1 APPEARANCES	1 By Mr. Walker 287
2	2 By Mr. Wallace 329
3 FOR THE PLAINTIFF:	3 By Mr. Stewart 345
4 Deborah M. Nickson, Esquire	4 By Mr. Walker 355
5 Attorney at Law	5 Defendant's Exhibits Page
6 2820 Fairlane Drive, Suite A-10	6 1 - Letter to Ms. Horton from 185
7 Montgomery, Alabama 36116	7 Ms. Turpen, dated 6/13/06
8	8 2 - Notice of Deposition Duces 222
9 FOR THE DEFENDANTS:	9 Tecum
10 Charles A. Stewart, III, Esquire	10 3 - Letter to Ms. Horton from 290
11 Bradley, Arant, Rose & White, LLP	11 Mr. Chase, dated 3/22/06
12 Alabama Center for Commerce	12 4 - National Seating & Mobility 340
13 401 Adams Avenue, Suite 780	13 Recipient Chart
14 Montgomery, Alabama 36104	14 5 - Ms. Horton's Employment 346
15 Dorman Walker, Esquire	15 Application for Hyundai
16 Balch & Bingham, LLP	16 6 - Ms. Horton's Resume 351
17 2 Dexter Avenue	17 7 - Plaintiff's Response to 356
18 Montgomery, Alabama 36104	18 Defendant Don Williams'
19 Jack Wallace, Esquire	19 Interrogatories and Request
20 Assistant Attorney General	20 For Production
21 Office of the Attorney General	21 * * * * *
22 State of Alabama	22 ELIZABETH HORTON, of lawful
23 11 South Union Street	23 age, having first been duly sworn,
24 Montgomery, Alabama 36130	
25 ALSO PRESENT:	
26 Don Williams	
27	
28	
29	
30	
31	
32	
33	
Page 3	Page 5
1 STIPULATIONS	1 testified as follows:
2	2 EXAMINATION
3 It is stipulated and agreed by	3 BY MR. STEWART:
4 and between counsel representing the	4 Q. Ms. Horton, we met right before your
5 parties that the deposition of ELIZABETH	5 deposition began, but other than that,
6 HORTON may be taken before Nicole Paulk,	6 we've never seen each other before, have
7 Certified Court Reporter and Notary Public	7 we?
8 in and for the State of Alabama at Large,	8 A. I've never met you before, no.
9 without the formality of a commission; and	9 Q. Okay. I'm going to take your deposition
10 all formality with respect to other	10 today in this case that you've filed
11 procedural requirements is waived; that	11 against National Seating, Don Williams,
12 objections to questions, other than	12 and Gerald Shockley. Have you ever given
13 objections as to the form of the questions	13 a deposition before?
14 need not be made at this time, but may be	14 A. No.
15 reserved for a ruling at such time as the	15 Q. I'm sure your lawyer has given you a brief
16 deposition may be offered in evidence or	16 overview at least about what's going to
17 used for any other purpose by either party	17 take place today, but let me just go ahead
18 as provided by the Federal Rules of Civil	18 and tell you what the ground rules are.
19 Procedure.	19 I'm asking questions to you; your
20 * * * * *	20 responses are given under oath. Do you
21 INDEX	21 understand that?
22 Examination Page	22 A. I do.
23 By Mr. Stewart 5	23 Q. Do you understand that because your

2 (Pages 2 to 5)

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Page 6	Page 8
<p>1 answers are given under oath, that you are 2 subject to the laws of perjury in the 3 event that you don't tell the truth? 4 A. I do understand that. 5 Q. Okay. When giving your deposition, 6 sometimes people tend to nod or shake 7 their head to say yes or no, but in this 8 environment, it's very important that you 9 speak your answer out. And if you forget 10 or if I forget at one point to actually 11 speak out an answer, I will correct us 12 somehow. Usually I just point at the 13 microphone to remind you we're taking your 14 testimony down, and I'll point at that 15 thing there, okay? 16 A. Okay. 17 Q. For that reason, it's also important to 18 speak out your answers. You're sort of 19 soft-spoken, and that's not a problem 20 normally, but sometimes when you're taking 21 a deposition, if a soft-spoken person is 22 giving their testimony, it doesn't get 23 recorded very well, okay?</p>	<p>1 A. That's fine. Thanks. 2 Q. Are you on any kind of medication that 3 would affect the ability to answer 4 truthfully? 5 A. It could. 6 Q. Do you mean that it's possible that you 7 may give false testimony today because of 8 medication that you are on? 9 A. I'm on medication, but it can influence me 10 to get a little hyper, if we need to take 11 that break. As far as giving the truth, 12 I'm going to give you the truth. 13 Q. Okay. Great. Is there anything about the 14 medication that you're taking that affects 15 your ability to understand questions? 16 A. You might have to rephrase it sometimes. 17 Q. Will you let me know? 18 A. I will. 19 Q. Are you aware, even when you're on your 20 medication, that you don't understand a 21 question when it's asked -- 22 A. Of course I do. I'm aware of that. 23 Q. Okay. So we won't have a problem later on</p>
Page 7	Page 9
<p>1 A. Okay. 2 Q. After the deposition takes place, you will 3 have the right to read and sign the 4 deposition to make sure that it was taken 5 down properly by the court reporter. You 6 can waive that right; you can also 7 exercise that right. I don't know if 8 you've had a chance to talk with your 9 lawyer about that and what you would 10 prefer to do. Nicole is a good court 11 reporter. You can't change your answer, 12 but if she were to misspell something or 13 something, you can make that correction. 14 Would you like to read and sign, or do you 15 want to waive that? 16 MS. NICKSON: Read and sign. 17 A. Read and sign. 18 Q. Okay. During the deposition today, if you 19 want to take a break, get some water, 20 smoke a cigarette, take a walk, anything 21 like that, you just tell me, and we'll be 22 more than happy to stop at a natural point 23 and let you take that break, okay?</p>	<p>1 where you say, I didn't understand the 2 question because I was on medicine or 3 something? 4 A. No. I will ask you to rephrase the 5 question to make sure I understand it or 6 just ask me the question again. 7 Q. Okay. That's fair. And so if you answer 8 a question without telling me to rephrase 9 it, can I assume that you understood the 10 question? 11 A. I'm not going to answer it without telling 12 you to rephrase it or ask it again. 13 Q. Okay. How old are you, Ms. Horton? 14 A. I'm 44. 15 Q. What's your date of birth? 16 A. June the 18th, 1963. 17 Q. Your social security number? 18 A. 432-37-8397. 19 Q. Are you currently married? 20 A. No. 21 Q. Have you ever been married? 22 A. Yes. 23 Q. How many times?</p>

3 (Pages 6 to 9)

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Page 10	Page 12
<p>1 A. Twice.</p> <p>2 Q. What was your first husband's name?</p> <p>3 A. Levester Butler.</p> <p>4 Q. Levester Butler?</p> <p>5 A. Uh-huh.</p> <p>6 Q. L-A-V-E-S-T-E-R?</p> <p>7 A. L-E-V-E-S-T-E-R.</p> <p>8 Q. And how long were you married to</p> <p>9 Mr. Butler?</p> <p>10 A. For about 15 years.</p> <p>11 Q. Where were you married?</p> <p>12 A. Marianna, Arkansas.</p> <p>13 Q. Did you say Mary Ann?</p> <p>14 A. Marianna, M-A-R-I-A-N-N-A.</p> <p>15 Q. Arkansas. And in what year were you</p> <p>16 married?</p> <p>17 A. July the 2nd, 1982.</p> <p>18 Q. And how old were you at the time?</p> <p>19 A. I was 22.</p> <p>20 Q. How long were you married, did you say?</p> <p>21 15 years?</p> <p>22 A. 15 years.</p> <p>23 Q. When were you divorced?</p>	<p>1 Q. What does he do?</p> <p>2 A. He's an engineer for Hyundai.</p> <p>3 Q. Okay. And your marriage to Mr. Butler</p> <p>4 that was terminated in Marianna, Arkansas,</p> <p>5 what county in Arkansas is that?</p> <p>6 A. That's Lee County.</p> <p>7 Q. What were the grounds for the divorce from</p> <p>8 Mr. Butler?</p> <p>9 A. He was on drugs, and he was abusive.</p> <p>10 Q. Physically abusive?</p> <p>11 A. And emotionally sometimes.</p> <p>12 Q. And what were the grounds for the divorce</p> <p>13 from Mr. Horton?</p> <p>14 A. Chris and I -- there was another woman</p> <p>15 involved, so it was the best thing for us</p> <p>16 to do, was to get a divorce.</p> <p>17 Q. Was there any abuse in that marriage?</p> <p>18 A. No, not at all.</p> <p>19 Q. And you've never been married any other</p> <p>20 time?</p> <p>21 A. No.</p> <p>22 Q. Is that correct?</p> <p>23 A. That is correct.</p>
Page 11	Page 13
<p>1 A. Our divorce became final in September of</p> <p>2 '94.</p> <p>3 Q. Okay. And where were you divorced?</p> <p>4 A. Marianna, Arkansas.</p> <p>5 Q. And who was your second marriage to?</p> <p>6 A. Chris Horton -- Christopher Horton.</p> <p>7 Q. When were y'all married?</p> <p>8 A. We were married August the 4th of 2002.</p> <p>9 Q. And where were you married?</p> <p>10 A. Excuse me -- yeah, in 2002. We were</p> <p>11 married in Nashville, Tennessee.</p> <p>12 Q. And how long were you married?</p> <p>13 A. We were married four years.</p> <p>14 Q. And when were you divorced?</p> <p>15 A. Here in Alabama.</p> <p>16 Q. When?</p> <p>17 A. July -- my divorce became final June the</p> <p>18 26th of 1986 -- 2006.</p> <p>19 Q. And is that in Montgomery County, Alabama,</p> <p>20 that the divorce took place?</p> <p>21 A. Yes.</p> <p>22 Q. Does he still live in Montgomery County?</p> <p>23 A. Yes.</p>	<p>1 Q. Did the divorce from Christopher Horton</p> <p>2 affect your physical condition in any way?</p> <p>3 A. Physical, no. It was a stressed-out thing</p> <p>4 because we both worked at Hyundai</p> <p>5 together, and so did she. As far as my</p> <p>6 concern was, I had gotten pretty much past</p> <p>7 it and over it.</p> <p>8 Q. You mean as you sit here today, you are?</p> <p>9 A. As I left here in July I was over it, July</p> <p>10 of 2006.</p> <p>11 Q. Okay. And did the divorce from Mr. Horton</p> <p>12 affect your financial condition?</p> <p>13 A. Yes.</p> <p>14 Q. How so?</p> <p>15 A. Well, we both had two incomes at the</p> <p>16 moment, and when I asked for the</p> <p>17 separation June the 16th of 2005, Chris</p> <p>18 was still responsible as to -- for him to</p> <p>19 take care of things that were there at the</p> <p>20 apartment, and then after the divorce, it</p> <p>21 was one salary. So, of course, I'm having</p> <p>22 to pay for my own attorney and medical</p> <p>23 bills at that time, and college.</p>

4 (Pages 10 to 13)

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Page 14	Page 16
<p>1 Q. Did you say maternity leave?</p> <p>2 A. No.</p> <p>3 Q. What did you say?</p> <p>4 A. Medical and college for my daughter.</p> <p>5 Q. Where is your daughter in school?</p> <p>6 A. One graduated from University of Memphis</p> <p>7 the year after Chris and I got a divorce,</p> <p>8 and I have one in nursing school at the</p> <p>9 University of -- UAB in Helen, Arkansas.</p> <p>10 Q. I'm confused. The one who is in nursing</p> <p>11 school graduated from --</p> <p>12 A. She has one more year in nursing school.</p> <p>13 The one that's graduated from college</p> <p>14 after my divorce who I was supporting</p> <p>15 graduated a year after I got a divorce.</p> <p>16 So I was supporting her -- I was</p> <p>17 supporting both of them while I was</p> <p>18 married to Chris. One graduated the year</p> <p>19 after I got married -- I mean after I got</p> <p>20 a divorce, and the other one is still in</p> <p>21 college.</p> <p>22 Q. Okay. Let's make it a little clearer.</p> <p>23 The child that's already graduated, what's</p>	<p>1 A. He'll be 28 in December.</p> <p>2 Q. Where does he live?</p> <p>3 A. He lives in Marianna, Arkansas.</p> <p>4 Q. What does he do?</p> <p>5 A. He's a probation officer for the state</p> <p>6 prison, and right now he's on military</p> <p>7 leave getting ready to go to Iraq.</p> <p>8 Q. Do you have any relatives in Montgomery,</p> <p>9 Alabama?</p> <p>10 A. I have no relatives except when I was</p> <p>11 married to Chris.</p> <p>12 Q. Do you have any relatives in the state of</p> <p>13 Alabama?</p> <p>14 A. No.</p> <p>15 Q. Where are your relatives?</p> <p>16 A. In Marianna, Arkansas, in Little Rock, St.</p> <p>17 Louis, Gatlinburg -- but none here.</p> <p>18 Q. Do you have any relatives in Texas?</p> <p>19 A. No.</p> <p>20 Q. What is your maiden name?</p> <p>21 A. Walton.</p> <p>22 Q. So you were born Elizabeth --</p> <p>23 A. Walton.</p>
Page 15	Page 17
<p>1 her name?</p> <p>2 A. Tamika.</p> <p>3 Q. Can you spell it?</p> <p>4 A. Tamika Nicole. T-A-M-I-K-A.</p> <p>5 Q. Tamika Nicole?</p> <p>6 A. Tamika Nicole Butler.</p> <p>7 Q. Okay. And she graduated from the</p> <p>8 University of Memphis and now lives in</p> <p>9 Arkansas?</p> <p>10 A. She's a coach at Lee Senior High School.</p> <p>11 Q. In Arkansas?</p> <p>12 A. In Arkansas.</p> <p>13 Q. Marianna, Arkansas?</p> <p>14 A. Marianna.</p> <p>15 Q. Okay. And then your younger daughter's</p> <p>16 name is?</p> <p>17 A. Tanisha, T-A-N-I-S-H-A, Rochelle Butler.</p> <p>18 She's in her last year of nursing school.</p> <p>19 Q. At UAB?</p> <p>20 A. At University of -- that's in Helena,</p> <p>21 Arkansas, UAB, Phillips County. Then I</p> <p>22 have a son.</p> <p>23 Q. And how old is your son?</p>	<p>1 Q. Do you have a middle name?</p> <p>2 A. I do not.</p> <p>3 Q. And your parents' names were what?</p> <p>4 A. Alexander Walton and Rosie May -- her</p> <p>5 maiden name was Macklin before she became</p> <p>6 Walton.</p> <p>7 MR. WALKER: I'm sorry, ma'am,</p> <p>8 what was that?</p> <p>9 THE WITNESS: My mother's maiden</p> <p>10 name was Macklin.</p> <p>11 Q. M-A-D-G --</p> <p>12 A. M-A-C-K-L-I-N.</p> <p>13 Q. So you were raised in Marianna, Arkansas?</p> <p>14 A. Yes, I was.</p> <p>15 Q. Did you complete high school there?</p> <p>16 A. Yes, I did.</p> <p>17 Q. What high school did you graduate from?</p> <p>18 A. Lee Senior High School.</p> <p>19 Q. And after you completed high school, what</p> <p>20 did you do?</p> <p>21 A. Well, I got married. I was set to go off</p> <p>22 to college to Philander Smith when I got</p> <p>23 married, and during my marriage, I worked</p>

5 (Pages 14 to 17)

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Page 18	Page 20
<p>1 two jobs.</p> <p>2 Q. So Farmer Smith, is that a college in</p> <p>3 Arkansas?</p> <p>4 A. Philander. Philander Smith is a college</p> <p>5 in Little Rock, Arkansas.</p> <p>6 Q. What type of school is it?</p> <p>7 A. It's a university.</p> <p>8 Q. Four-year?</p> <p>9 A. Four-year.</p> <p>10 Q. Did you ever go back and complete your</p> <p>11 college education?</p> <p>12 A. No.</p> <p>13 Q. As we sit here today, the highest level of</p> <p>14 education you have is 12th grade?</p> <p>15 A. 14. I have two years.</p> <p>16 Q. Two years at what?</p> <p>17 A. At Capital City Community College in</p> <p>18 Little Rock.</p> <p>19 Q. And did you get a degree from Capital City</p> <p>20 Community College?</p> <p>21 A. No, just a certificate there. I'm in</p> <p>22 college right now.</p> <p>23 Q. Studying what?</p>	<p>1 and girlfriend?</p> <p>2 A. For about six months.</p> <p>3 Q. Okay. Where did you live before 8301 Boat</p> <p>4 Club Road?</p> <p>5 A. 1713 Arbor Mill Circle, Apartment 1415,</p> <p>6 Bedford, Texas.</p> <p>7 Q. Can you spell that?</p> <p>8 A. B-E-D-F-O-R-D, Texas, 76021.</p> <p>9 Q. And who did you live with there?</p> <p>10 A. Alone.</p> <p>11 Q. How long did you live at 1713 Arbor Mill</p> <p>12 Circle?</p> <p>13 A. Since July the 22nd of 2006, I moved</p> <p>14 there.</p> <p>15 Q. So you lived there approximately a year</p> <p>16 before moving in with Ross Park?</p> <p>17 A. Yeah, that's correct.</p> <p>18 Q. Before you lived at 1713 Arbor Mill</p> <p>19 Circle, where did you live?</p> <p>20 A. 2600 Vaughn Lakes Boulevard, Montgomery,</p> <p>21 Alabama, Apartment -- I forgot the</p> <p>22 apartment number. Vaughn Lakes -- I don't</p> <p>23 know. I forgot.</p>
Page 19	Page 21
<p>1 A. Information technology.</p> <p>2 Q. What is information technology?</p> <p>3 A. It's actually technical support work on</p> <p>4 computers, drafting, network,</p> <p>5 trouble-shooting.</p> <p>6 Q. Okay. And you say you're currently going</p> <p>7 to school there now?</p> <p>8 A. I'm currently going to the University of</p> <p>9 Phoenix online.</p> <p>10 Q. Okay. Where are you currently living?</p> <p>11 A. I live in Texas. 8301 Boat Club Road,</p> <p>12 Fort Worth, Texas, 76179.</p> <p>13 Q. And how long have you lived at 8301 Boat</p> <p>14 Club Road?</p> <p>15 A. Since July the 21st, 2007.</p> <p>16 Q. Who do you live there with?</p> <p>17 A. Ross Park.</p> <p>18 Q. Who is Ross Park?</p> <p>19 A. He's my boyfriend.</p> <p>20 Q. And how long have y'all lived there?</p> <p>21 A. He lived there -- he's from Texas --</p> <p>22 maybe -- in that apartment, over a year.</p> <p>23 Q. Okay. How long have y'all been boyfriend</p>	<p>1 Q. Is that where you lived with Chris Horton?</p> <p>2 A. Yes.</p> <p>3 Q. How long did you live at that address?</p> <p>4 A. We moved here March of 2004.</p> <p>5 Q. Where did y'all move from?</p> <p>6 A. Dubuque, Iowa.</p> <p>7 Q. Where did you live in Dubuque, Iowa?</p> <p>8 A. 17 -- I think it was 17 -- no. 2173 Sunny</p> <p>9 Slope Drive, Dubuque, Iowa, 52002.</p> <p>10 Q. How long did you live there?</p> <p>11 A. Since January of 2001; I arrived there.</p> <p>12 Chris was there in December of 2000.</p> <p>13 Q. Okay. So you lived there by yourself</p> <p>14 January through December of '01, and then</p> <p>15 Chris moved in December --</p> <p>16 A. Chris was there in December, the end of</p> <p>17 December of 2000, and I arrived there</p> <p>18 January, right after the new year, 2001.</p> <p>19 Q. So Chris was already living there?</p> <p>20 A. Yes.</p> <p>21 Q. Where did you live before that?</p> <p>22 A. I lived in Marianna.</p> <p>23 Q. What was your address in Marianna?</p>

6 (Pages 18 to 21)

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Page 22	Page 24
<p>1 A. 243 Dr. Martin Luther King Drive, 2 Marianna, Arkansas, 72360. 3 Q. How long did you live at 243 Dr. Martin 4 Luther King Drive? 5 A. Basically all my life. 6 Q. Okay. Is that your parents' house? 7 A. No. My parents house was at -- it was on 8 -- my parents lived in Marianna, but the 9 street was Walter Street. 10 Q. I want to make sure I understand your 11 answer. You said your parents lived on 12 Walter Street in Marianna too? 13 A. Uh-huh. They're from Marianna. 14 Q. And is that the -- Walter Street, is that 15 where you grew up? 16 A. I did. 17 Q. How old were you when you left Walter 18 Street? 19 A. I got married. That's when I moved out. 20 22. 21 Q. Okay. And so you and Levester moved into 22 the address at 243 Dr. Martin Luther King 23 Drive?</p>	<p>1 Marianna after living in Little Rock for 2 how long? 3 A. I moved back there in '93 permanently to 4 stay, and I left there in -- well, it was 5 '85 when I left, come to think of it. My 6 daughter was almost a year old. 7 Q. When you left? 8 A. Uh-huh, Marianna. 9 Q. Okay. And moved to? 10 A. To live with my brother. So it was back 11 and forth off and on to Marianna. I was 12 living with my brother, going to school, 13 and working there to support my kids, who 14 were still with my mother-in-law and my 15 parents. I left my husband, so when I 16 came back home on the weekends, I stayed 17 with either my parents or I'm very close 18 with my husband's family; I still stayed 19 with them. 20 Q. Okay. 21 A. And when I go visit today, I still stay 22 with them. We're very close. 23 Q. What are their names?</p>
Page 23	Page 25
<p>1 A. No. When we got married, we moved into 2 Hickory Garden. We had our own place. 3 Q. What is it? 4 A. This apartment at Hickory Garden in 5 Marianna, Arkansas. 6 Q. Okay. And that's where you moved at 22 7 years old? 8 A. Yes. 9 Q. And how long did you live in that 10 apartment there? 11 A. I left -- I separated from my husband in 12 1984. I moved out, and I moved to Little 13 Rock to live with my brother, and that was 14 2600 Green Drive in Little Rock. Then I 15 attended Capital City there, and then I 16 went back. I went back in -- I'm trying 17 to think what year. 1992 or '3. But I 18 was coming home every weekend, so... 19 Q. Well -- you said here? 20 A. I was coming home to Marianna every 21 weekend because my kids were in school 22 there. 23 Q. And then you finally moved back to</p>	<p>1 A. The Butlers. Odessa Butler; she's my 2 ex-mother-in-law. Janelle Davis, Shirly 3 Butler, Arlene Butler. We're still very, 4 very close, and I'm close to my 5 ex-husband. So when I said all my life, 6 part of Little Rock and Marianna is going 7 back and forth. I came home every 8 weekend. 9 Q. Were the addresses, then -- 10 A. I kept my address in Marianna. 11 Q. You kept the Walter Street address? 12 A. Uh-huh. 13 Q. Even though you didn't live there anymore; 14 is that correct? 15 A. Well, I lived there on the weekends. 16 Q. Okay. And did you also put down at times 17 your in-laws' address as your home 18 address? 19 A. That was the mailing address for my 20 children in school. It was 260 21 California, which was -- 243 was on one 22 street and 260 was -- you could walk 23 through the back yard on the next street.</p>

7 (Pages 22 to 25)

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Page 26	Page 28
<p>1 It was right behind each other.</p> <p>2 Q. And then the other address you had during</p> <p>3 this time frame was 2600 Green Drive,</p> <p>4 Little Rock?</p> <p>5 A. That was my brother's address. That's why</p> <p>6 my school information went to his home.</p> <p>7 Q. What is your brother's name?</p> <p>8 A. Calvin Lee Walton.</p> <p>9 Q. Okay. And between the age of 22 and the</p> <p>10 time you moved to Martin Luther King</p> <p>11 Drive, were there any other places that</p> <p>12 you lived?</p> <p>13 A. 22 is when I lived in Sunny Slope -- I</p> <p>14 mean at Hickory Garden with my husband;</p> <p>15 that's when I got married. I left him in</p> <p>16 1985; we separated.</p> <p>17 Q. And so from 1985, you would move -- you</p> <p>18 lived with your brother in Little Rock,</p> <p>19 and you lived with your parents sometimes,</p> <p>20 and you lived with your in-laws sometimes?</p> <p>21 A. I lived with my brother going to school.</p> <p>22 I came home every weekend to see my</p> <p>23 parents, and then my kids were still with</p>	<p>1 A. Yeah.</p> <p>2 Q. So from 1985 to 1992, you lived with your</p> <p>3 brother, your mother, or your in-laws</p> <p>4 weekly?</p> <p>5 A. Yes.</p> <p>6 Q. You never had your own place? Is that</p> <p>7 right?</p> <p>8 A. No.</p> <p>9 Q. Okay. 1992 is when you settled down at</p> <p>10 what address?</p> <p>11 A. At 243 Martin Luther King Drive.</p> <p>12 Q. Okay. I want to focus just right now on</p> <p>13 the time frame of 1985 to 1992. For some</p> <p>14 period of time, you attended Capital City</p> <p>15 Community College; is that right?</p> <p>16 A. Yes.</p> <p>17 Q. Was that the first two years, 1985, '86?</p> <p>18 A. '86, '87.</p> <p>19 Q. Okay. And then did you get a job during</p> <p>20 that same time frame, or were you a</p> <p>21 full-time student?</p> <p>22 A. I was a full-time student and had a job.</p> <p>23 Q. And what were you doing then?</p>
Page 27	Page 29
<p>1 -- my mother-in-law helped me with my</p> <p>2 children, and her daughters, because he</p> <p>3 was on drugs, and so -- and I was going to</p> <p>4 get a better job for myself to support my</p> <p>5 kids. So when I came home on the</p> <p>6 weekends, then I'd go see my parents --</p> <p>7 I'd spend the night there with my parents</p> <p>8 with my kids, and then I'd go to my</p> <p>9 mother-in-law's house and spend time with</p> <p>10 them because we were all very close.</p> <p>11 Q. Okay. How long did this moving back and</p> <p>12 forth go on, what period of time?</p> <p>13 A. I could stay there -- I started my job at</p> <p>14 Douglas & Loamson when my father died of</p> <p>15 cancer.</p> <p>16 Q. Wait. Start over again. I'm sorry. My</p> <p>17 question to you was, how long had you been</p> <p>18 moving back and forth between Little Rock</p> <p>19 and Marianna, Arkansas before you settled</p> <p>20 down somewhere?</p> <p>21 A. Well, I settled down back at home</p> <p>22 permanently in 1992.</p> <p>23 Q. 1992?</p>	<p>1 A. I was working as a cashier. I worked at</p> <p>2 Wal-Mart on Maumelle Boulevard.</p> <p>3 Q. On what boulevard?</p> <p>4 A. Maumelle -- at the one in Arkansas, that</p> <p>5 Wal-Mart.</p> <p>6 Q. Can you spell Maumelle?</p> <p>7 A. M-A-U-M-E-L-L-E. And then I worked at</p> <p>8 Conoco service station three days a week</p> <p>9 from 3/11 -- and let me correct myself on</p> <p>10 something too, because during the time I</p> <p>11 worked at Conoco, I actually -- my sister</p> <p>12 -- I have a sister Paula, Paula Walton,</p> <p>13 and I actually went and got my kids. We</p> <p>14 got an apartment together, so -- and that</p> <p>15 was in the Pine Tree Apartments. I went</p> <p>16 and got my kids. I had forgotten all</p> <p>17 about that.</p> <p>18 Q. For how long did you live in those</p> <p>19 apartments with your children?</p> <p>20 A. I lived there with my children for -- '87</p> <p>21 to '91.</p> <p>22 Q. And is that a suburb of Marianna?</p> <p>23 A. No, that's in Little Rock. I brought my</p>

8 (Pages 26 to 29)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 30	Page 32
<p>1 children to Little Rock. 2 Q. Okay. All three? 3 A. Yes. 4 Q. Okay. And your sister's last name is 5 Paula -- 6 A. Paula Marie Walton. 7 Q. So she was unmarried at the time? 8 A. Yes. 9 Q. Do you remember the apartment that you 10 lived in? 11 A. It was Pine Tree Apartments, and it was on 12 -- it was in southwest Little Rock. 13 Q. Okay. So you initially started at the 14 school in '86; you worked as a cashier at 15 a Wal-Mart in Maumelle, Arkansas; is that 16 right? 17 A. That's correct. 18 Q. And you did that for a while, and then you 19 switched jobs to the Conoco service -- 20 A. No, I worked both of them. 21 Q. You worked both at the same time? 22 A. Uh-huh. 23 Q. Is that right?</p>	<p>1 positions. 2 Q. And the Corps of Engineers job came to an 3 end after a year and a half? 4 A. It was a student program. 5 Q. And when it ended, did you take up another 6 job? 7 A. I got a full-time position job, yes. 8 Q. Where? 9 A. Arkansas Democrat. 10 Q. Is that a newspaper? 11 A. Yes. 12 Q. Where is it located? 13 A. Little Rock, Arkansas. 14 Q. What did you do with that newspaper? 15 A. I worked in customer service. 16 Q. What were your job duties? 17 A. It was actually -- I handed out 18 subscriptions to accounts. If people go 19 out of town, if they wanted to hold their 20 papers until they come back, to place it 21 in the computer; if they wanted to order a 22 new paper for the first time, enter those 23 orders into the system.</p>
Page 31	Page 33
<p>1 A. Yes. 2 Q. And then what job did you have next? 3 A. Well, I worked for them part-time, and 4 then I worked for -- downtown while I was 5 in school, the Corps of Engineers. 6 Q. What did you do at the Corps of Engineers? 7 A. I worked on computers in the computer 8 department. 9 Q. For the state of Arkansas? 10 A. For the State of Arkansas Corps of 11 Engineers. It was a student program. 12 Q. Okay. How long did you do that? 13 A. For about a year and a half, because the 14 program ended. 15 Q. Okay. Were you still working at the 16 Conoco service station and the Wal-Mart? 17 A. Yeah. Wal-Mart was like four days a week 18 and four hours. The Conoco in the evening 19 was like six hours, not every day, just 20 depends on when they needed me; it was 21 PRN. And so I worked at the Corps of 22 Engineers from like 7 in the morning to 23 11. So all of them were like part-time</p>	<p>1 Q. So you were data entry? 2 A. Customer service and -- 3 Q. Talked on the telephone to folks? 4 A. Talk on the telephone and enter that 5 information in. 6 Q. Okay. And how long did you work -- I'm 7 sorry. Did you finish? 8 A. It was inbound; people called in. 9 Q. Okay. And how long did you work for the 10 Arkansas Democrat? 11 A. I worked for them for two years until they 12 were bought out. 13 Q. Okay. Then where did you work? 14 A. Then when they were bought out, I was 15 still working my part-time positions at 16 Conoco and also at Wal-Mart. 17 Q. Okay. What year was it that the Arkansas 18 Democrat was bought out? 19 A. 1990. Arkansas Gazette bought them out. 20 Q. And you were not kept on? 21 A. I didn't participate in wanting to be kept 22 on. 23 Q. You didn't anticipate wanting to be kept</p>

9 (Pages 30 to 33)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 34	Page 36
<p>1 on?</p> <p>2 A. Not in customer service. They were</p> <p>3 eliminating that department, so we had no</p> <p>4 idea where we were going to go and had no</p> <p>5 idea what was going to happen. And I</p> <p>6 couldn't afford to waste any time taking</p> <p>7 care of my kids.</p> <p>8 Q. So what did you do?</p> <p>9 A. I still worked my part-time jobs.</p> <p>10 Q. Well, did you apply for another job?</p> <p>11 A. I didn't at the moment; I just continued</p> <p>12 to go to school.</p> <p>13 Q. Did you quit your job at the Arkansas</p> <p>14 Democrat?</p> <p>15 A. No, I never quit; they laid us off.</p> <p>16 Q. And you said you continued to go to</p> <p>17 school?</p> <p>18 A. Yes, picking up some more classes, until</p> <p>19 that school shut down.</p> <p>20 Q. What school was that?</p> <p>21 A. Capital City finally shut down in 1994.</p> <p>22 Q. Okay. When you were working at the</p> <p>23 Arkansas Democrat, were you living at the</p>	<p>1 Q. What was the name of the company?</p> <p>2 A. Douglas & Loamson, L-O-A-M-S-O-N.</p> <p>3 Q. What is that?</p> <p>4 A. They are the manufacturers that deal with</p> <p>5 Chrysler seats for Chrysler and GM and add</p> <p>6 attachments like door hinges and door</p> <p>7 latches.</p> <p>8 Q. Okay. The Arkansas Democrat was bought</p> <p>9 out in 1990 by the Arkansas Gazette. You</p> <p>10 moved back home in 1993 or 1994. Do you</p> <p>11 think it was '93 that you moved back in,</p> <p>12 if your father passed away in February of</p> <p>13 '93?</p> <p>14 A. He passed away in February of '93. I</p> <p>15 didn't go to work immediately, so that's</p> <p>16 why I say has to be. And it could have</p> <p>17 been either the end of February -- end of</p> <p>18 May through early '94. I just remember</p> <p>19 that we moved back home because someone</p> <p>20 had to take care of my family -- my</p> <p>21 mother, which my other sisters and</p> <p>22 brothers did, and I.</p> <p>23 Q. And when you moved back home to care for</p>
Page 35	Page 37
<p>1 243 Martin Luther King Drive address?</p> <p>2 A. I was living with my brother. It's in</p> <p>3 Little Rock. Excuse me. I'm a little bit</p> <p>4 confused here. When I was working for the</p> <p>5 Arkansas Democrat, yeah, I was living with</p> <p>6 my brother, and that's when -- later on</p> <p>7 that year, my sister and I got an</p> <p>8 apartment together. My brother lived down</p> <p>9 the street from us, and it was at the</p> <p>10 Pines, so I was still in Little Rock.</p> <p>11 Q. Okay. So it was after the Arkansas</p> <p>12 Democrat job ended that you settled down</p> <p>13 at 243 Martin Luther?</p> <p>14 A. I went back home. After that, my father</p> <p>15 got sick with cancer, and I took his job</p> <p>16 in Marianna.</p> <p>17 Q. When is it that you went back home?</p> <p>18 A. I went back home -- in the end of '93 or</p> <p>19 '94, I went back home. I can't remember.</p> <p>20 I know my father had died that February of</p> <p>21 '93, and I took his job working at Douglas</p> <p>22 & Loamson in Marianna to take care of my</p> <p>23 mother and my kids.</p>	<p>1 your mother, did you move into her home,</p> <p>2 or where did you move in?</p> <p>3 A. No, because my sister, she came -- Paula</p> <p>4 came back home too. She moved in with my</p> <p>5 mom, and I moved in 243. She wasn't</p> <p>6 working, so I had to support them both.</p> <p>7 Q. And where were your children living when</p> <p>8 you lived at 243?</p> <p>9 A. My children were living at 243 with me and</p> <p>10 walking in the back yard to their</p> <p>11 grandmother's house. I moved in 243</p> <p>12 because I got closer to my mother-in-law</p> <p>13 and to my sister-in-law and their family</p> <p>14 because they helped me out quite a bit</p> <p>15 with my children.</p> <p>16 Q. You said that you went back when you did</p> <p>17 after your father passed away, and you</p> <p>18 said you took his job?</p> <p>19 A. Yes.</p> <p>20 Q. Did they offer you the job that your</p> <p>21 father had had?</p> <p>22 A. Yes. My father had been there 30 years,</p> <p>23 and my mother had a stroke and was -- when</p>

10 (Pages 34 to 37)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 38	Page 40
<p>1 I was 16, so my mother was not capable of</p> <p>2 actually being taken care of by herself.</p> <p>3 So when someone died, they had a rule. It</p> <p>4 was their policy if someone died in the</p> <p>5 family, the next closest in the family or</p> <p>6 whatever could have gotten the job, and I</p> <p>7 got the job.</p> <p>8 Q. Okay. And how long did you work for this</p> <p>9 Douglas -- I still didn't write it down</p> <p>10 right. I apologize -- Douglas & Loamson?</p> <p>11 How did you spell it?</p> <p>12 A. L-O-A-M-S-O-N.</p> <p>13 Q. Loamson?</p> <p>14 A. Yes.</p> <p>15 Q. How long did you work at Douglas &</p> <p>16 Loamson?</p> <p>17 A. From '94 until -- off and on because they</p> <p>18 -- we laid off quite a bit in the season,</p> <p>19 so altogether from '94 until -- I'm just</p> <p>20 thinking because it was '94 until right</p> <p>21 around '98.</p> <p>22 Q. Okay. And what happened in 1998?</p> <p>23 A. They shut it down, laid a lot of people</p>	<p>1 A. I worked on the assembly line packing</p> <p>2 meat. I was a meat packer.</p> <p>3 Q. Okay. And you were an assembly line</p> <p>4 employee also at Douglas & Loamson?</p> <p>5 A. That's correct.</p> <p>6 Q. And you were involved in making seats for</p> <p>7 Chrysler and GM vehicles?</p> <p>8 A. Yes. It was not really assembly line.</p> <p>9 It's like a station where the robot</p> <p>10 actually works the part. You actually</p> <p>11 assemble the parts into the robot.</p> <p>12 Q. All right. How long did you work at</p> <p>13 Boar's Head?</p> <p>14 A. Until they shut down.</p> <p>15 Q. When did they shut down?</p> <p>16 A. They shut down the end of '99.</p> <p>17 Q. What did you do then?</p> <p>18 A. Then I went to Yale & Horst.</p> <p>19 Q. Yellow Horse?</p> <p>20 A. Yale, Y-A-L-E, and Horst, H-O-R-S-T.</p> <p>21 Q. What is that?</p> <p>22 A. Another manufacturer. What they do is</p> <p>23 they build sort of like crane shafts that</p>
Page 39	Page 41
<p>1 off. They were losing the contract with</p> <p>2 GM for parts, so half of the people were</p> <p>3 laid off, the lower numbers than the</p> <p>4 people who had been there for 30 and 40</p> <p>5 years.</p> <p>6 Q. So you were laid off?</p> <p>7 A. Yes.</p> <p>8 Q. What did you do next?</p> <p>9 A. I went and worked for this company that --</p> <p>10 for the City of Arkansas that actually</p> <p>11 sold meat, like made wieners and hot dogs</p> <p>12 and -- Boar's Head, something like that,</p> <p>13 was the name of it.</p> <p>14 Q. Boar's Head?</p> <p>15 A. Uh-huh.</p> <p>16 Q. And where are they located?</p> <p>17 A. Forrest City.</p> <p>18 MR. WALKER: I'm sorry. What's</p> <p>19 that city?</p> <p>20 A. Forrest, F-O-R-R-E-S-T, City, Arkansas.</p> <p>21 It's like 18 miles from Marianna, so I</p> <p>22 traveled back and forth every day.</p> <p>23 Q. And what did you do for that company?</p>	<p>1 you lift motors up out of your vehicle</p> <p>2 with. So they assembled those parts and</p> <p>3 built their motors to assemble those parts</p> <p>4 to lift that kind of equipment from</p> <p>5 vehicles or tractors or trucks, whatever.</p> <p>6 Q. Okay. What did you do for them?</p> <p>7 A. Actually, the production scheduling there</p> <p>8 for them. The orders came in from the</p> <p>9 office, and we assembled out to the</p> <p>10 production people in line and said we need</p> <p>11 this many parts built, had to locate the</p> <p>12 parts and see if we had them in the</p> <p>13 system. And if we didn't have the parts</p> <p>14 in the system, then I'd report back to the</p> <p>15 office and say we need to order these</p> <p>16 parts -- or to my supervisor and say we</p> <p>17 need to order these parts. So I was --</p> <p>18 basically was helping the production meet</p> <p>19 their standard flow for that day or for</p> <p>20 that week.</p> <p>21 Q. Okay. How long did you work at Yale &</p> <p>22 Horst?</p> <p>23 A. From 2000 to -- they shut down the early</p>

11 (Pages 38 to 41)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 42	Page 44
<p>1 part of 2006. It was the end of 2005, 2 December 2005. 3 Q. Then what did you do? 4 A. Let me correct something. I'm just 5 thinking about the years, because I moved 6 to Iowa with Chris. Oh, okay. Yes. I 7 remember now. I start at Yale full time 8 in 1995, because I was working at Boar's 9 Head when they were getting to shut people 10 down, so I was working there at Boar's 11 Head and I was working at Yale. I was 12 working at Yale from 11 to 7 and at Boar's 13 Head from 10 to 2. And then when Boar's 14 Head shut down permanently, I went to work 15 full time -- well, actually, went on to 16 work more extra hours at Yale Horst in 17 2005, then everybody was laid off in 18 December of 2000. 19 Q. At Boar's Head or Yale Horst? 20 A. Yale Horst everybody was laid off in 2000. 21 Q. Okay. So what did you do in 2000? 22 A. They offered us a package at Yale that we 23 can go to school -- living in that part of</p>	<p>1 Q. Okay. And so both of y'all moved to Iowa? 2 A. Chris moved there first. 3 Q. In December, and you moved there in 4 January? 5 A. Yes. 6 Q. And Chris was in 2000 and you, January of 7 2001? 8 A. That's correct. 9 Q. And then when what did you do once you 10 moved to Iowa in terms of employment? 11 A. I went to Kelly Services there, and I got 12 a temporary position working for 13 Cunningham & Butler. That was an 14 insurance company that provides providers 15 with information about recipients, a 16 portion of the plan where they're kept up 17 for the year of any kind of dental, 18 medical, or any kind of procedure they 19 wanted to perform on that patient -- that 20 insurance holder. So I worked in provider 21 services, providing providers with 22 information about customers, or their -- 23 their patients, customers, whatever.</p>
Page 43	Page 45
<p>1 town in Marianna, Forrest City, there 2 wasn't very many jobs available, and so -- 3 it was a little poverty town. So what 4 happened was you could draw your 5 unemployment and they would send you to 6 Crowley Ridge Community College in 7 Forrest City. 8 Q. Can you spell the name of that? 9 A. Yes. C-R-O-W-D-L-E-Y Ridge Community 10 College while you're drawing unemployment 11 so you can hire yourself for other jobs in 12 Memphis and the surrounding areas. But I 13 moved to Iowa with Christopher. 14 Christopher and I met there. 15 Q. Okay. What was he studying? 16 A. Where was Christopher staying? 17 Q. Studying. 18 A. Christopher was an engineer. He moved -- 19 Christopher came from Charlotte, North 20 Carolina to Yale. I met Chris there. I 21 met him in '98. I was already working 22 there. Chris moved there from Charlotte 23 to work for Yale.</p>	<p>1 Q. When you moved to Iowa, did your children 2 stay behind? 3 A. Yes. They didn't want to come to Iowa. 4 They were in school. 5 Q. How old were they? 6 A. Tamika -- my son was actually 20 when I 7 left, and my daughter, she was in her -- 8 Tamika was in her 10th grade. And Tanisha 9 was -- Tanisha was in the 8th grade. 10 Q. So they stayed behind with your in-laws? 11 A. With my in-laws, yes. 12 Q. Okay. And so you worked as an employee of 13 Kelly Services and were first assigned a 14 position for Cunningham, Butler; is that 15 right? 16 A. Yes, that was my first assignment. 17 Q. And help me understand. When you're 18 employed at Kelly Services, is it Kelly 19 Services that actually pays you and they 20 get reimbursed from Cunningham, Butler? 21 A. They pay me. I don't know whether they 22 got reimbursed. I know my checks came 23 from Kelly Services; they didn't come from</p>

12 (Pages 42 to 45)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 46	Page 48
<p>1 the company.</p> <p>2 Q. Okay. And while you were at Cunningham</p> <p>3 Butler, you would provide insurance</p> <p>4 companies --</p> <p>5 A. I worked in provider services. It was an</p> <p>6 insurance company.</p> <p>7 Q. It was an insurance agency or a company?</p> <p>8 A. It was an insurance company.</p> <p>9 Q. They actually wrote insurance?</p> <p>10 A. They actually did. It's a self-owned</p> <p>11 company by Mr. Cunningham.</p> <p>12 Q. And so a patient would go to get some</p> <p>13 procedure and --</p> <p>14 A. No, no, no. Providers would call inbound.</p> <p>15 And if a patient comes in their office, we</p> <p>16 have to verify their insurance, and if</p> <p>17 they're having a procedure or anything</p> <p>18 done, they would call us to verify, have</p> <p>19 they had it done this year; you know, you</p> <p>20 have a status on how many times you can</p> <p>21 have a procedure done in a year.</p> <p>22 Q. Okay. So when we say providers, we're</p> <p>23 talking about doctors --</p>	<p>1 Services?</p> <p>2 A. From January 2001 until October of --</p> <p>3 October the 8th of 2001. That's when I</p> <p>4 went across the street to Signa Investment</p> <p>5 Retirement Company.</p> <p>6 Q. The whole time that you were working for</p> <p>7 Kelly Services, were you assigned to this</p> <p>8 job at Cunningham Butler?</p> <p>9 A. Uh-huh, I was.</p> <p>10 Q. And then Sigma Investments --</p> <p>11 A. Signa.</p> <p>12 Q. Signa Investment --</p> <p>13 A. Retirement Services Investment Company.</p> <p>14 Q. I'll get it right here in a second. It</p> <p>15 was right across the street?</p> <p>16 A. Yeah.</p> <p>17 Q. And what did you --</p> <p>18 A. It was right off the main street.</p> <p>19 Q. Okay. And what did you do for them?</p> <p>20 A. I was a retirement account representative.</p> <p>21 I went to get my license in Series 6 and</p> <p>22 63, so we only handled retirement</p> <p>23 accounts, 401s and 401(k)s and pension</p>
Page 47	Page 49
<p>1 A. I only spoke with providers.</p> <p>2 Q. Doctors' offices?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. And they would call in and they</p> <p>5 would verify whether this particular</p> <p>6 patient had insurance with Cunningham</p> <p>7 Butler, and if so, whether or not the</p> <p>8 procedure that was planned would be</p> <p>9 covered?</p> <p>10 A. That's correct. And they also wanted to</p> <p>11 verify if they had any other insurance,</p> <p>12 who was primary, who was first, secondary,</p> <p>13 of that nature.</p> <p>14 Q. Okay. And you would take those calls,</p> <p>15 research, and call them back?</p> <p>16 A. No. I'd take those calls and do the</p> <p>17 research on the phone and give them that</p> <p>18 information then and there.</p> <p>19 Q. So they would stay on the line while you</p> <p>20 typed stuff into the computer and told</p> <p>21 them; is that right?</p> <p>22 A. That's correct.</p> <p>23 Q. And how long did you work for Kelly</p>	<p>1 plans.</p> <p>2 Q. You're speaking a foreign language to me,</p> <p>3 I'm afraid, so I may need you to slow</p> <p>4 down. You were a retirement account</p> <p>5 representative?</p> <p>6 A. Yes.</p> <p>7 Q. You were employed by Signa?</p> <p>8 A. Signa Investment Retirement Services.</p> <p>9 Q. Okay. And you did what?</p> <p>10 A. We worked on 401(k) accounts.</p> <p>11 Q. 401(k)s. And what did you do in terms of</p> <p>12 401(k)s?</p> <p>13 A. As if you would have been a customer,</p> <p>14 you'd call in, and I'd provide you details</p> <p>15 about your mutual funds or your stocks or</p> <p>16 your pension account. I also did pension</p> <p>17 plans, estimates for a customer who is</p> <p>18 actually getting ready to retire in the</p> <p>19 next five years, doing estimates for them</p> <p>20 or doing transfers from one stock to</p> <p>21 another stock for them, giving them the</p> <p>22 estimate by the close of the business day;</p> <p>23 if they wanted to take out loans from</p>

13 (Pages 46 to 49)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 50	Page 52
<p>1 their accounts or withdrawals from their 2 accounts; update their address, all that 3 information. 4 Q. Okay. You said you had to receive some 5 type of licensing to do that? 6 A. Yes. 7 Q. What type of licensing is that? 8 A. From the New York Exchange Board, Series 6 9 and 63 stock brokers licenses. 10 Q. Series 6 and 63? 11 A. Uh-huh. 12 Q. That was the foreign language part. And 13 when were you so licensed? 14 A. I was licensed -- I started there in 15 October of 2001, and I was licensed 16 January of 2002. 17 Q. And have you kept that license active? 18 A. I kept the license active until I moved 19 here. 20 Q. Did you enjoy that work? 21 A. Yes, I did. 22 Q. Why didn't you keep the license active 23 after moving here?</p>	<p>1 Q. With who? 2 A. It was still Signa. It was with Signa. 3 Q. Okay. But you were doing a different type 4 of work with Signa? 5 A. Uh-huh. The same work I was kind of doing 6 with Cunningham & Butler, providers work. 7 Q. Was it a different branch of Signa or a 8 different company within the Signa 9 company? 10 A. Same company, different division. 11 Q. Okay. How long did you live in Nashville? 12 A. I never lived there; I was just there with 13 a friend of mine staying there until Chris 14 got through with John Deere in Iowa, and 15 then I found out there wasn't a Signa in 16 Montgomery, so -- I had to come here to be 17 with my husband. 18 Q. Your husband got hired on with Hyundai? 19 A. Uh-huh. 20 Q. From John Deere? 21 A. From John Deere. 22 Q. Was he working with John Deere in Moline? 23 A. Moline is the main office. Dubuque, Iowa,</p>
Page 51	Page 53
<p>1 A. Well, you can't -- if you're not in the 2 investments, you cannot keep those 3 licenses active. If you're out for two 4 years, you have to go back and do it 5 again. But you have to be within a 6 company who requires those licenses. 7 Q. Gotcha. So you worked -- 8 A. It's pretty confusing. 9 Q. I'm trying to keep up with it. Let's see. 10 A. I worked a lot. 11 Q. You started with Signa in October of 2001? 12 A. October 8th of 2001. 13 Q. And how long did you work there? 14 A. Until Chris and I moved here, March of 15 2004. 16 Q. Was there a period of time that you lived 17 in Nashville? 18 A. Yeah. I went to -- well, it was only a 19 brief time. I went there from -- Chris 20 was coming to Hyundai here, and I went to 21 Nashville and was taking another position 22 with the Medicaid portion until Chris 23 moved here.</p>	<p>1 he worked there. 2 Q. What takes place in Dubuque? 3 A. That's the factory there in Dubuque. The 4 factory is not in Moline; it's just the 5 office branch. 6 Q. And what job did Chris get with Hyundai? 7 A. Same job, engineering, that he had at John 8 Deere. 9 Q. What type of engineering does he do, 10 design work? 11 A. Electrical. 12 Q. Okay. And you moved here when again? 13 Help me with that. 14 A. March of 2004, end of March. I went to 15 work in the Nashville Signa in -- Signa 16 was being bought out by Prudential, so I 17 told Signa that I wanted to stay with the 18 Signa branch. So -- they didn't have a 19 Prudential I know here in Montgomery as an 20 investment company, so I stayed within the 21 company, and then when Chris came in 22 March, that's when I came here, leaving my 23 job back in Nashville, because Signa was</p>

14 (Pages 50 to 53)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 54	Page 56
<p>1 here.</p> <p>2 Q. And your children stayed back in Marianna?</p> <p>3 A. Yes. By that time, my daughter was -- one</p> <p>4 was in the 12th grade; the other was in</p> <p>5 the 10th. My son was working for the</p> <p>6 federal prison.</p> <p>7 Q. Have we covered all the places that you've</p> <p>8 lived, or are there other places that</p> <p>9 you've lived?</p> <p>10 A. Not that I know of, no.</p> <p>11 Q. When you came here in March of 2004, did</p> <p>12 you first go to work with Kelly Services?</p> <p>13 A. Yes, that was my first job.</p> <p>14 Q. Okay.</p> <p>15 MR. WALLACE: Chuck?</p> <p>16 MR. STEWART: Yeah.</p> <p>17 MR. WALLACE: We've been going</p> <p>18 about an hour. Can we take</p> <p>19 a break?</p> <p>20 MR. STEWART: Sure.</p> <p>21 MR. WALLACE: Thank you.</p> <p>22 (Brief recess.)</p> <p>23 Q. One of the things that I want to make</p>	<p>1 how I went to Nashville. Chris came down</p> <p>2 several times to visit his new job there</p> <p>3 and to visit me and -- while I was staying</p> <p>4 with friends, and when he went back to</p> <p>5 pack, then Hyundai had called. And he had</p> <p>6 been trying to get on at Hyundai for about</p> <p>7 a year because he wanted to be near his</p> <p>8 parents.</p> <p>9 Q. Okay. Are there any other places that you</p> <p>10 have lived that we have not identified?</p> <p>11 A. None I can think of.</p> <p>12 Q. Are there any other places that you have</p> <p>13 worked that you have not identified?</p> <p>14 A. No.</p> <p>15 Q. Have you ever been fired from a job</p> <p>16 before?</p> <p>17 A. No.</p> <p>18 Q. Ever in your life?</p> <p>19 A. No.</p> <p>20 Q. Up through today?</p> <p>21 A. Up until Hyundai?</p> <p>22 Q. Up to today, November 20, 2007?</p> <p>23 A. No, I haven't been fired from a job other</p>
Page 55	Page 57
<p>1 certain I understand is, your testimony</p> <p>2 was that Chris was coming to work at</p> <p>3 Hyundai in Montgomery and that you took a</p> <p>4 position with Signa in Nashville at the</p> <p>5 time; is that correct?</p> <p>6 A. That's correct. Because Chris had two</p> <p>7 offers, one in Nashville -- that was his</p> <p>8 first offer. That was the first one he</p> <p>9 was going to take. And when I was working</p> <p>10 in Nashville, Hyundai offered him a</p> <p>11 position, and of course, his parents live</p> <p>12 here, so that's where he wanted to be, so</p> <p>13 either one of us has to make a choice, so</p> <p>14 I had to give up my position at Signa to</p> <p>15 come here. We were very familiar with</p> <p>16 Nashville because we got married there and</p> <p>17 he's originally from Nashville.</p> <p>18 Q. Okay. Did Chris ever go to work in</p> <p>19 Nashville at the time or around the time</p> <p>20 that he got the job offer at Hyundai?</p> <p>21 A. He -- no, no. When his offer came from</p> <p>22 Nashville, he thought about it, and he</p> <p>23 told me he was going to accept it; that's</p>	<p>1 than dismissed from Hyundai.</p> <p>2 Q. Why were you dismissed from Hyundai?</p> <p>3 A. Well, in the course of the year I worked</p> <p>4 there, I helped this gentleman, his wife</p> <p>5 and his kids. He was a gambler, and we</p> <p>6 worked together in the same department,</p> <p>7 Tommy Certain. I didn't know he was a</p> <p>8 gambler, but I lent him money always</p> <p>9 throughout the year, because his wife</p> <p>10 would call me saying their lights were out</p> <p>11 and they needed to get food or something.</p> <p>12 So when Chris and I were separated during</p> <p>13 that time, I needed my money back from</p> <p>14 him. And he wrote me a bad check for \$300</p> <p>15 and it bounced in my account twice. So</p> <p>16 that caused a very -- a lot of animosity</p> <p>17 between us both, so I asked him every</p> <p>18 other day was he going to give me back my</p> <p>19 money. And I'd joke with him by saying</p> <p>20 that, you know, you'll find yourself on</p> <p>21 Judge Judy. And he told them that I</p> <p>22 harassed him and made sexual advanced at</p> <p>23 him. And that all was because of -- in</p>

15 (Pages 54 to 57)

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Page 58	Page 60
<p>1 fact, the cops came out there on my job to</p> <p>2 arrest me, so my whole character --</p> <p>3 everything with that had changed with</p> <p>4 Hyundai, so the police had to go through</p> <p>5 the human resource department to say that</p> <p>6 I had been arrested for filing a false</p> <p>7 report to a law enforcement agency. They</p> <p>8 fired me because they didn't believe me,</p> <p>9 and the reason why they didn't believe me</p> <p>10 is because they had heard and had found</p> <p>11 out that I was arrested.</p> <p>12 Q. Hyundai heard you had been arrested?</p> <p>13 A. Well, they came to Hyundai, five of them,</p> <p>14 five sheriff's department guys came out</p> <p>15 there twice. And the only way they could</p> <p>16 get to me was through human resources and</p> <p>17 General Affairs. See, you have to tell</p> <p>18 General Affairs what are you out there to</p> <p>19 arrest me for, and then General Affairs</p> <p>20 has to get in contact with my manager, and</p> <p>21 they had to tell my manager, because I'm</p> <p>22 on the premises, they need me to come --</p> <p>23 bring me to the office and then take me</p>	<p>1 that you were terminated from Hyundai in</p> <p>2 March of 2007 because you were arrested in</p> <p>3 August of 2006?</p> <p>4 A. Well, I feel that was a reflection of what</p> <p>5 happened because Tommy Certain said I</p> <p>6 sexually harassed him.</p> <p>7 Q. Who said that?</p> <p>8 A. Tommy Certain.</p> <p>9 Q. Can you spell his last name?</p> <p>10 A. C-E-R-T-A-I-N.</p> <p>11 Q. And this is the guy that you lent money to</p> <p>12 because his wife would call and say they</p> <p>13 needed money --</p> <p>14 A. Well, his wife was the one who asked me</p> <p>15 for the money, and I agreed to lend them</p> <p>16 the money. She asked me to give it to</p> <p>17 Tommy at work. So I wrote him a check for</p> <p>18 \$300 on January the 2nd.</p> <p>19 Q. Of?</p> <p>20 A. 2007. So we returned back from the</p> <p>21 Christmas break -- I didn't even notice</p> <p>22 that the check had bounced in my account</p> <p>23 until the end of January when I got a</p>
Page 59	Page 61
<p>1 away. But fortunately, I wasn't there</p> <p>2 that day.</p> <p>3 Q. What were the sheriff deputies doing</p> <p>4 there?</p> <p>5 A. To arrest me.</p> <p>6 Q. For what?</p> <p>7 A. A felony, false report. A false report to</p> <p>8 a law enforcement agency; that was the</p> <p>9 charge.</p> <p>10 Q. So you're saying that -- when did they</p> <p>11 come to arrest you?</p> <p>12 A. August.</p> <p>13 Q. Of --</p> <p>14 A. August the 5th, 2006.</p> <p>15 Q. Okay. And when were you terminated from</p> <p>16 Hyundai?</p> <p>17 A. March -- no -- yeah, March. March of</p> <p>18 2007.</p> <p>19 Q. And you're saying you were terminated from</p> <p>20 Hyundai because --</p> <p>21 A. I was constantly questioned about that</p> <p>22 incident there.</p> <p>23 Q. Let me finish my question. You're saying</p>	<p>1 thing from the bank.</p> <p>2 Q. So you wrote a check on January 2, 2007,</p> <p>3 to Tommy Certain?</p> <p>4 A. Uh-huh.</p> <p>5 Q. Is that right?</p> <p>6 A. Yes.</p> <p>7 Q. Because his wife had called and asked you</p> <p>8 to lend them money?</p> <p>9 A. Well, yeah. It's not the first time I</p> <p>10 ever lent them money, so it was -- it</p> <p>11 didn't really bother me at the moment</p> <p>12 anyway.</p> <p>13 Q. What was his wife's name?</p> <p>14 A. Jacqueline Certain.</p> <p>15 Q. Can you spell Jacqueline?</p> <p>16 A. J-A-C-K-I-N -- K-I -- J-I-N-Q-U --</p> <p>17 something. I can't think of it.</p> <p>18 Jacqueline.</p> <p>19 Q. I think there are about 200 spellings of</p> <p>20 the name Jacqueline. But you think it's</p> <p>21 J-A-C-Q-U-E-L-I-N-E? J-A-C-K-L-Y-N?</p> <p>22 A. Yeah, it is J-A-C-Q-U-E-L-I-N-E.</p> <p>23 Q. Okay. And had you known her before?</p>

16 (Pages 58 to 61)

MERRILL LEGAL SOLUTIONS
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Page 62	Page 64
<p>1 A. I met her, yes. I met him and his whole 2 family. 3 Q. After you went to work at Hyundai? 4 A. Yes, because I didn't know him before I 5 went to work there. 6 Q. And you say he had a gambling problem? 7 A. That's when I found out. His wife told me 8 that -- well, every time we'd get paid, a 9 couple of days later, he'd ask me for 10 money for food and things -- that didn't 11 bother me. I didn't mind helping anybody. 12 He's not the only person I've lent money 13 to out there at Hyundai. So -- I didn't 14 know he was gambling until his wife said 15 he was gambling off their whole check and 16 they didn't have food and stuff, so... 17 Q. Did she have a job? 18 A. No. 19 Q. And does Tommy Certain still working at 20 Hyundai? 21 A. Yes, he's still working at Hyundai, on the 22 three-year -- he's on a three-year 23 corrective action, one step from being</p>	<p>1 complaint against Hyundai for your 2 termination; the EEOC then sent the notice 3 to Hyundai; an investigation took place, 4 and Tommy Certain admitted that he was not 5 telling the truth when he said you 6 sexually harassed him? 7 A. Yeah. They put him on a three-year 8 probation -- a three-year corrective 9 action. They had fired me. 10 Q. Have you asked for your job back at 11 Hyundai? 12 A. I don't want my job back at Hyundai. And 13 that's not closed. 14 Q. I'm sorry? 15 A. It's not closed. 16 Q. What do you mean by that? 17 A. EEOC is still with that case. 18 Q. Okay. So they haven't issued a 19 right-to-sue yet? 20 A. No. 21 Q. Is it your intention to sue Hyundai? 22 A. No, it's not. I just want to make it 23 right, let the truth be known. But at one</p>
Page 63	Page 65
<p>1 fired, because he opened up the case and 2 he admitted that he wasn't telling the 3 truth. 4 Q. Did you file an EEOC complaint against 5 Hyundai? 6 A. I most certainly did. 7 Q. Is that the first EEOC complaint you've 8 ever filed? 9 A. No. 10 Q. How many have you filed? 11 A. I had one -- it was -- well, I had never 12 -- it was a group EEOC complaint. So it 13 was one lady who filed it when I was -- 14 I'm trying to think. I don't remember. 15 It was some type of deal with 16 discrimination in pay for women. 17 Q. When you were employed where? 18 A. It was Conoco. 19 Q. Okay. Any other EEOC complaints that you 20 filed? 21 A. No. 22 Q. Your complaint that was filed against 23 Hyundai, you said you filed an EEOC</p>	<p>1 point in time, to be perfectly honest with 2 you, of course, after that lawyer called 3 me a criminal -- five cops come out there 4 to arrest me and they called me a 5 criminal. 6 Q. Which lawyer called you a criminal? 7 A. The lawyer at Hyundai. I forgot his name. 8 It's a gentleman. Anyway, I replied back 9 to his remark of me being called a 10 criminal because five officers came out 11 there to arrest me. And I kind of got 12 that under control. 13 Q. You're not talking about Richard Neal, are 14 you? 15 A. Is his name Richard Lee? I don't know. 16 Q. Neal. 17 A. Richard Neal? It may be. The only 18 attorney I knew out there. 19 Q. Okay. 20 MS. NICKSON: If I could, for the 21 record, that was not the 22 name of the attorney. I 23 addressed that.</p>

17 (Pages 62 to 65)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 66	Page 68
<p>1 A. All I know is I know it was a gentleman, 2 so... 3 Q. So this guy out there called you a 4 criminal in front of other people? 5 A. He called me a criminal, not only to other 6 people, but to my attorney. 7 Q. What other people did he say it in front 8 of? 9 A. Britt. Britt Craft, C-R-A-F-T. 10 MR. WALKER: Are you saying 11 Brent? 12 THE WITNESS: Britt, B-R-I-T-T. 13 MR. WALKER: Oh, thank you. 14 Q. Craft, C-R-A-F-T? 15 A. C-R-A-F-T -- C-R-A-F -- yeah, C-R-A-F-T. 16 That's right. 17 Q. And what does he do? 18 A. It's a she. 19 Q. What does she do? 20 A. She used to work at Hyundai, so -- but I 21 have no idea what she does now. 22 Q. What was she doing at the time she was 23 working at Hyundai?</p>	<p>1 waive your bounce fees that went into my 2 account. So we got ready to leave. Britt 3 and I were walking down the stairs, going 4 out the back way. Tommy came out with us 5 and said hold on, because he smoked and 6 Britt smoked. So they were standing there 7 smoking outside, and I was standing there 8 till Britt got through, and she walked me 9 to my vehicle. So then after that was 10 when I learned that Tommy said that on 11 that day, that I sexually harassed him, 12 you know, that I showed him my breast and 13 that I asked him out for a date and that 14 it all came after I made a complaint about 15 my money. 16 Q. Okay. So you used Britt as a witness -- 17 A. I didn't use Britt as anything. Tommy 18 said she was standing there. I never -- I 19 didn't even know about the charge ever 20 until March, and this happened in 21 February. I continued to ask him about my 22 money in February; that's when I learned 23 about it. He would not give me my money</p>
Page 67	Page 69
<p>1 A. She was working in the quality department. 2 She's a quality engineer. 3 Q. Okay. Who else was that statement made in 4 front of? 5 A. Well, it was Britt and then Doris. And I 6 can't -- what's Doris's last name? I 7 can't think of Doris's last name, but she 8 no longer works there either because -- 9 how Britt came involved is, the day that I 10 was asking for my money from Tommy, she 11 was standing there in between -- this is 12 my desk; Tommy's desk is here; and there's 13 two desks in between us. So I'm standing 14 at my desk, and Tommy stood up and said, 15 well, can I write you another check for 16 that, you know, and I said no, you have to 17 give me cash. So Britt was standing there 18 because I was coming out there to fill out 19 my time card and I brought her a fish 20 plate; she asked me if I could pick her up 21 something to eat. And then I said, no, 22 you have to pay me in cash; I'm not taking 23 another check from you. And I said, I'll</p>	<p>1 back. And I kept saying, I want my money 2 or I'm going to take you to Judge Judy or 3 I'm just going to tell our manager about 4 you wrote me a hot check; I need my money. 5 So -- I didn't know he had filed a charge 6 on me at all. 7 Q. Well, what were the circumstances under 8 the attorney for Hyundai saying to Britt 9 Craft that you were a criminal? 10 A. Well, because Britt was standing there 11 when they found out what happened to me, 12 and then Britt told them what happened, 13 that it didn't happen the way Tommy said. 14 And so Britt went and got her an attorney 15 and said well -- because Tommy said that 16 we were just best friends again and that, 17 you know, Britt was taking up for me. So 18 Britt went and got her an attorney and 19 then Britt went and got her manager and 20 director and they went over to HR to speak 21 with this attorney, and they talked about 22 the cops coming up there to my job, that 23 -- did Britt know that; Britt said yes.</p>

18 (Pages 66 to 69)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 70	Page 72
<p>1 That shouldn't have anything to do with</p> <p>2 that at all, but they mentioned that. And</p> <p>3 they mentioned that, well, I ran a</p> <p>4 background check on her; she's a criminal.</p> <p>5 Q. That's what the attorney said to Britt?</p> <p>6 A. Yes, he did.</p> <p>7 Q. Were there any witnesses to that</p> <p>8 statement?</p> <p>9 A. I don't know who was in the office with</p> <p>10 Britt, but I know Britt called me and told</p> <p>11 me. And I know that's not the first time</p> <p>12 I heard it.</p> <p>13 Q. When else did you hear it?</p> <p>14 A. I called him and I spoke with him.</p> <p>15 Q. You're saying the attorney at Hyundai?</p> <p>16 A. That's correct.</p> <p>17 Q. Go ahead.</p> <p>18 A. And I asked him about his remark. And he</p> <p>19 said my background -- well, the cops came</p> <p>20 out there and my background check showed</p> <p>21 that I was arrested and that I was a</p> <p>22 criminal. I was arrested for a criminal</p> <p>23 charge, that's what he said. I said,</p>	<p>1 A. I did when I first -- because Doris, you</p> <p>2 know, she lived with me for a moment, so</p> <p>3 -- she split up with her fiancé and she</p> <p>4 moved in with me, so after I left and</p> <p>5 moved to Texas, she took a job down there.</p> <p>6 And we used to keep in contact, but we</p> <p>7 don't keep in contact anymore.</p> <p>8 Q. But you have her telephone number?</p> <p>9 A. I have her old number in my phone, yes.</p> <p>10 Q. Okay. And what did she say about the</p> <p>11 attorney saying something about your being</p> <p>12 a criminal?</p> <p>13 A. Well, you know, because they were still</p> <p>14 working out there and I was not, and, you</p> <p>15 know, this stuff was continuing to go on</p> <p>16 with this investigation and all this kind</p> <p>17 of stuff -- on Britt, you know, and it was</p> <p>18 -- it was a whole lot of mess. But I</p> <p>19 wasn't there, but it was continuing to go</p> <p>20 on trying to get it straight, trying to</p> <p>21 get it right. So in the midst of the</p> <p>22 thing, you know, I was in the middle and</p> <p>23 Tommy was the one saying all this stuff.</p>
Page 71	Page 73
<p>1 well, that's not what I heard you said,</p> <p>2 but I'm not a criminal.</p> <p>3 Q. Okay. And when did that phone call take</p> <p>4 place?</p> <p>5 A. March. And it could be in the middle of</p> <p>6 March or the end of March.</p> <p>7 Q. 2007?</p> <p>8 A. Yes.</p> <p>9 Q. And then Doris, last name unknown --</p> <p>10 A. It's Alexander.</p> <p>11 Q. Okay. Doris Alexander?</p> <p>12 A. I think it's Doris Alexander.</p> <p>13 Q. You said she no longer works there either?</p> <p>14 A. No, she took a position down there with</p> <p>15 the distributor. She was in quality too,</p> <p>16 and now she works in -- somewhere out in</p> <p>17 Tennessee or Kentucky -- closer to</p> <p>18 Kentucky.</p> <p>19 Q. With a Hyundai supplier?</p> <p>20 A. Yes.</p> <p>21 Q. Do you know the name of the supplier?</p> <p>22 A. I forgot. I used to.</p> <p>23 Q. Do you keep in touch with her?</p>	<p>1 And then -- because Doris was living with</p> <p>2 me and they discussed this kind of stuff</p> <p>3 at work, her and Britt, all of them, they</p> <p>4 told me what was going on. And, of</p> <p>5 course, my husband worked in that same</p> <p>6 department too.</p> <p>7 Q. You said George was living with you?</p> <p>8 A. Doris Alexander.</p> <p>9 Q. Doris was living with you.</p> <p>10 A. After Chris and I split up, she moved in</p> <p>11 with me.</p> <p>12 Q. Okay. So Doris Alexander told you that</p> <p>13 the attorney at Hyundai called you a</p> <p>14 criminal?</p> <p>15 A. Yes. She told me -- well, as far as --</p> <p>16 she told me because Britt told her. I</p> <p>17 already had heard it from Britt.</p> <p>18 Q. Okay. So she didn't actually overhear the</p> <p>19 attorney say that?</p> <p>20 A. She heard it from Britt.</p> <p>21 Q. Okay. And where is Britt living now?</p> <p>22 A. I have not talked to Britt since -- the</p> <p>23 last time I talked to Britt was maybe a</p>

19 (Pages 70 to 73)

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Page 74	Page 76
<p>1 year ago. All I know is she left Hyundai. 2 I don't know if she still lives here or 3 not. She could be still living in 4 Montgomery. 5 Q. Was she married? 6 A. No. She was not married and had three 7 kids. 8 Q. Do you know where she was living when she 9 lived here in Montgomery? 10 A. Off Atlanta Highway. 11 Q. Do you know the address, street, anything 12 like that? 13 A. No. It's off Atlanta Highway, and it's 14 right across from these apartments, the 15 only apartments on Atlanta Highway that 16 Hyundai rents out to, you know, let 17 employees live there. She lived right in 18 that area right over there, and I can't 19 think of it, in a house there. 20 Q. Have you filed suit against Tommy Certain? 21 A. I turned that over instead to EEOC. Like 22 I said, I wanted my money. That's why I 23 asked him to give me my money.</p>	<p>1 then. 2 Q. Okay. Have you been arrested since then? 3 A. Since? 4 Q. August 5th, '06? 5 A. No. 6 Q. And where were you employed at the time of 7 your arrest? 8 A. Wait a minute. Wait a minute, wait a 9 minute. What did you just ask me? 10 Q. Have you been arrested since August 5, 11 '06? 12 A. Yeah, yeah. 13 Q. When? 14 A. I sure have. July 11th. 15 Q. Of '07? 16 A. '07, yeah. 17 Q. And what was that for? 18 A. I moved to Texas, I signed up on eHarmony 19 in November 2006. EHarmony matched me up 20 with a gentleman according to my 21 background with working with kids and 22 everything. We raised money to help the 23 kids he said he was taking care of in this</p>
Page 75	Page 77
<p>1 Q. Have you gotten your money back yet? 2 A. No. 3 Q. Do you intend to sue Tommy Certain for 4 making these false claims against you? 5 A. No, I am not intending to sue him. I want 6 Hyundai to make it right. Everybody knows 7 Tommy don't tell the truth. If Tommy was 8 telling the truth, then why did he come 9 back and recant his story? It was too 10 late; I was fired by what he said. 11 Q. Okay. Have you ever been arrested any 12 other time? 13 A. Not before this time when I got arrested. 14 Q. So you've just been arrested the one time; 15 is that right? 16 A. I've never been arrested before I got 17 arrested on August the 5th. 18 Q. Of when? 19 A. August the 5th. 20 Q. 2006? 21 A. Yes. 22 Q. And that's the only time? 23 A. I've never been arrested before until</p>	<p>1 division -- foster division, whatever. 2 And we would donate money to this guy and 3 that nonprofit organization, myself and my 4 daughter's coach and ex-in-laws. And this 5 guy was a fake. We asked for the money 6 back. He sent me a check back. I went to 7 my bank and said -- asked my bank was this 8 check any good. Well, deposit it. And so 9 -- but they said they'd have to hold it. 10 So it turned out the check was not any 11 good. It was a stolen check from out of 12 Florida, on which I called the police. 13 And the police thought I knew this guy, 14 and eHarmony has to come in and correct 15 that information. 16 Q. So was that all squared away? 17 A. Oh, yeah. 18 Q. Where were you living at the time of that 19 arrest? 20 A. Texas. 21 Q. How long were you in jail? 22 A. One day. 23 Q. How long were you in jail in August of</p>

20 (Pages 74 to 77)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 78	Page 80
<p>1 '06? 2 A. Overnight, one day. 3 Q. Are those the only two times you've been 4 arrested? 5 A. Uh-huh. 6 Q. Is that a yes? 7 A. Yes, it is. 8 Q. Did you file criminal charges in July of 9 '07 against anyone? 10 A. Against that gentleman? 11 Q. Uh-huh. 12 A. I'm not supposed to -- well, to elaborate 13 on this, eHarmony and myself and the FBI 14 are working to catch this guy. He's 15 actually out of Nigeria. He was posted on 16 the eHarmony site as he lived in Memphis. 17 Q. And did you file charges against this guy 18 at any time? 19 A. I filed it through eHarmony. We don't 20 know where he's at. 21 Q. Gotcha. And was your case dismissed for 22 having that stolen check? 23 A. They -- it's totally cleared.</p>	<p>1 shoes and food and clothes. And, you 2 know, how could you go wrong with a guy 3 being on eHarmony, who do background 4 checks on people? But he was not the guy 5 he said he was. EHarmony found him out. 6 EHarmony took him off their website and 7 said they sent out incident tickets, and 8 they didn't notify me of it. 9 Q. You were arrested there at the store? 10 A. Yeah, after I called them. 11 Q. You called -- 12 A. The police. 13 Q. From the Ace check-cashing store? 14 A. I sure did. 15 Q. Located where? 16 A. Bedford, right off of Centra. 17 Q. Okay. Have you ever had a driver's 18 license in Alabama? 19 A. Yes. 20 Q. What is your number, or what was your 21 number? 22 A. I don't know my number -- I don't know 23 what it was. It wasn't my social security</p>
Page 79	Page 81
<p>1 Q. Okay. And where was it that you were 2 arrested? 3 A. In Texas. 4 Q. Where in Texas? 5 A. At A-C-E check cashing place. 6 Q. I'm sorry. Help me again? 7 A. Ace check cashing place. It was a store, 8 a check-cashing store. 9 Q. Okay. So you weren't depositing the 10 check; you were cashing it at a 11 check-cashing store? 12 A. Yeah. And then I asked the lady -- when 13 she said the numbers on the check were not 14 recognized by any bank -- it was written 15 on Washington Mutual bank. And I knew for 16 sure -- working in finance, I knew if the 17 routing number doesn't pull up, 18 something's wrong with that. So the young 19 lady gave me back the check, and I said 20 no, let's call the bank -- and that's 21 Washington Mutual -- was this check any 22 good. Because we had given this guy over 23 600-something dollars donated to kids for</p>	<p>1 number; it was a State ID assigned number. 2 Q. Where else have you had a driver's 3 license? 4 A. In Texas, Arkansas. 5 Q. Anywhere else? 6 A. No. 7 Q. What is your Texas driver's license 8 number? Can you read the number to me? 9 A. 25913465. 10 Q. Okay. And your Arkansas driver's license, 11 what was it? 12 A. I think it was my social security number. 13 Q. Any other driver's licenses that you've 14 had? 15 A. No. 16 Q. Have you ever filed a lawsuit before this 17 one? 18 A. As far as being in a car accident, no. 19 Q. You were in a car accident? 20 A. Yeah, back in 1992. 21 Q. And where did you file suit? 22 A. Arkansas. 23 Q. What happened to that case?</p>

21 (Pages 78 to 81)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 82	Page 84
<p>1 A. A drunken driver ran into me and crushed 2 my kneecap. 3 Q. Did it go to trial? 4 A. No. 5 Q. It was settled out of court? 6 A. Yes. It was settled with the insurance 7 company. 8 Q. What county in Arkansas was that filed in? 9 A. St. Francis. Forrest City, that's St. 10 Francis County. My attorney was out of 11 Little Rock. 12 Q. Okay. Who was your attorney? 13 A. Neal Opalm. 14 Q. Can you spell that? 15 A. N-E-A-L. And Opalm, it was O-P-A-L-M. 16 Q. Okay. So that's the only other lawsuit 17 that you've ever filed? 18 A. That I can remember, yes. 19 Q. You've never sued anybody else? 20 A. No. 21 Q. Have you ever been sued? 22 A. No. 23 Q. Have you ever filed bankruptcy?</p>	<p>1 was going to work for EDS. My three 2 months assignment was coming up -- I was 3 only temporary for three months. I didn't 4 even return after that. I talked to 5 Theresa there at Kelly Services -- and I 6 can't think of her last name. She was my 7 only contact there. National Seating 8 never asked me not to come back. They 9 never said anything to me. I was gone 10 already. 11 Q. I just misunderstood, then. I'm sorry. 12 Thank you for squaring me away. 13 A. I don't know where you misunderstood that 14 from, but you didn't hear it from me. 15 Q. Okay. You only had a three-month 16 temporary assignment there at National 17 Seating? 18 A. That's correct. 19 Q. And was it after the three months or 20 before the three months -- 21 A. It was before my three months ended that I 22 left. 23 Q. Why did you leave?</p>
Page 83	Page 85
<p>1 A. No. 2 Q. Have you ever filed a workers' 3 compensation claim? 4 A. No. 5 Q. Have you ever filed an insurance claim for 6 a loss to your home or car? 7 A. No. I never had a home. 8 Q. And as I understand it, all the jobs that 9 you went through, the only one that you've 10 been fired from was Hyundai? 11 A. Dismissed from Hyundai, yes. 12 Q. Okay. You were not actually an employee 13 of National Seating? 14 A. I worked at Kelly Services. 15 Q. And when National Seating asked that you 16 not be sent back -- 17 A. They didn't. 18 Q. They didn't? 19 A. No, they did not. 20 Q. Well, tell me what happened. 21 A. I was already gone. I had already started 22 a position. They never -- I called Kelly 23 Services and told Kelly Services that I</p>	<p>1 A. I moved to a permanent position. I was 2 interviewing all the time I was working 3 there. 4 Q. And where did you leave to go to work? 5 A. I went to EDS, Electronic Data System. 6 Q. Where is EDS? 7 A. In Montgomery, Alabama. 8 Q. What does EDS do? 9 A. It's a Medicaid provider with the State of 10 Alabama. They work with providers also, 11 and they work with recipients on Medicaid, 12 Medicare, any kind of benefits that's run 13 from the State. So they work both ways, 14 with the doctors and also with the 15 recipients. 16 Q. Is EDS a private company? 17 A. EDS was actually, as I understand it, came 18 into effect by -- I can't think of his 19 name that was -- 20 Q. Ross Perot? 21 A. That's correct -- running for president, 22 yes. 23 Q. Okay. And it still remains a private</p>

22 (Pages 82 to 85)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 86	Page 88
<p>1 company today?</p> <p>2 A. I don't know what EDS is right now since</p> <p>3 I've been gone.</p> <p>4 Q. Did you leave EDS on good terms?</p> <p>5 A. Yes.</p> <p>6 Q. How long did you work at EDS?</p> <p>7 A. For nine months, until I got on with</p> <p>8 Hyundai.</p> <p>9 Q. So why did you leave National Seating?</p> <p>10 A. Why did I leave National Seating?</p> <p>11 Q. Or why did you tell Kelly Services you</p> <p>12 didn't want to be assigned to National</p> <p>13 Seating anymore? I'm sorry.</p> <p>14 A. Theresa and I had a conversation almost</p> <p>15 two weeks before I even left, and it was</p> <p>16 the first -- beginning of June. A little</p> <p>17 bit of uncomfortableness here. There was</p> <p>18 some subscriptions coming in that didn't</p> <p>19 have no dates on them, and how would</p> <p>20 Medicaid know they were within the</p> <p>21 guidelines if they didn't have any dates</p> <p>22 on them. So I asked Emily, what was the</p> <p>23 date, and she said put a date on it. I</p>	<p>1 and put it on there?</p> <p>2 A. I don't know. I left that alone.</p> <p>3 Q. So you don't know what happened to it</p> <p>4 after you talked to Emily about that?</p> <p>5 A. No. I never asked.</p> <p>6 Q. How many times did that conversation with</p> <p>7 Emily take place?</p> <p>8 A. We talked about that twice.</p> <p>9 Q. And do you remember the name of the</p> <p>10 patient or the customer of NSM?</p> <p>11 A. No, I don't. It's -- I don't.</p> <p>12 Q. Okay. So there were two different times</p> <p>13 that that occurred? Did Emily say the</p> <p>14 same thing each time?</p> <p>15 A. No. The second time she said, don't worry</p> <p>16 about it; I'll get the dates. It was my</p> <p>17 responsibility to make sure everything was</p> <p>18 in the correct way with the dates on it,</p> <p>19 the progress notes, the doctor orders and</p> <p>20 everything, and they had a date on it. If</p> <p>21 they didn't have a date on it, Medicaid</p> <p>22 would send it back. That's how they</p> <p>23 determined the 60 days cutoff.</p>
Page 87	Page 89
<p>1 said I'm not putting a date on it.</p> <p>2 Q. My question to you was, why did you tell</p> <p>3 Kelly Services that you did not want to</p> <p>4 continue working at NSM?</p> <p>5 A. That's what I told Kelly Services --</p> <p>6 Theresa.</p> <p>7 Q. You told Theresa at Kelly Services that</p> <p>8 you had some subscriptions without dates</p> <p>9 on them --</p> <p>10 A. I said there was some irregularities in</p> <p>11 filing Medicaid claims. Some of the</p> <p>12 subscriptions don't have dates on them,</p> <p>13 and I feel very uncomfortable being asked</p> <p>14 to put dates on them.</p> <p>15 Q. Okay. So -- and what did Emily say about</p> <p>16 the date?</p> <p>17 A. Emily -- after she asked me to put a date</p> <p>18 on it and I said I was not going to, Emily</p> <p>19 said don't worry about it; she'll get it</p> <p>20 and put a date -- she'll find out what the</p> <p>21 date was. So I left it there.</p> <p>22 Q. So you left it alone, and then to your</p> <p>23 knowledge, Emily would find out the date</p>	<p>1 Q. Okay. What would happen at the end of 60</p> <p>2 days.</p> <p>3 A. You have to go back and re-evaluate that</p> <p>4 child again, re-evaluate that child for</p> <p>5 the chair, had to get them into a Children</p> <p>6 Rehab Services to do a whole new</p> <p>7 assessment.</p> <p>8 Q. Were there only the two orders that didn't</p> <p>9 have dates on them?</p> <p>10 A. Are you talking about -- I'm talking about</p> <p>11 subscriptions that don't have dates on</p> <p>12 them.</p> <p>13 Q. Right.</p> <p>14 A. No, that wasn't the only subscription I</p> <p>15 saw without any dates on it -- or</p> <p>16 prescription I saw.</p> <p>17 MR. WALKER: Are you saying</p> <p>18 subscription or</p> <p>19 prescription?</p> <p>20 THE WITNESS: Prescription.</p> <p>21 MR. WALKER: With a P?</p> <p>22 THE WITNESS: With a P.</p> <p>23 MR. WALKER: Thank you.</p>

23 (Pages 86 to 89)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 90	Page 92
<p>1 Q. How many prescriptions did you see without 2 dates on them?</p> <p>3 A. I can't tell you how many I saw without 4 dates on them. All I know is that I 5 started sending them to Medicaid and they 6 started sending them back, asking for 7 dates.</p> <p>8 Q. How many times did that happen?</p> <p>9 A. Well, they sent them back in bulk -- 10 batches. I don't know how many times they 11 sent them back, but I know on most every 12 different occasion I got them back before 13 I left. And I talked to one of the PTs 14 who actually didn't have any prescriptions 15 -- he didn't have dates on his 16 prescriptions at all. It was Michael 17 Maddox, and he was with the Dothan 18 Children Rehab Services clinic there, who 19 assesses the child for the wheelchair. 20 And I would call and ask what is the date, 21 and he told me that Emily said don't ever 22 put any dates -- Emily and Don said don't 23 ever put any dates on the prescription.</p>	<p>1 Q. Anything wrong with Danielle telling you 2 that you need to get dates?</p> <p>3 A. I don't see the patient, so how am I going 4 to get dates? And then I call for dates, 5 and then they tell me that they said don't 6 put dates on them -- they were told not to 7 put dates on there, so -- you know, I go 8 to Danielle, then I go to Emily, then I 9 call the PT. What am I supposed to do, go 10 to the clinic? They're not putting the 11 dates on there. I don't assess that 12 child; the PT does; the doctors do; the 13 nurses do. So I called all over trying to 14 get a date. And if -- I'm not putting a 15 date on there. That's the way I'm going 16 to do it. They need to put the date on 17 there or send me a new prescription with 18 the date. I'm not doing it. I wasn't 19 going to do it.</p> <p>20 Q. Well, let's start at the beginning, then. 21 Who writes the prescription?</p> <p>22 A. There are a series of people who write a 23 prescription. A PT actually assesses the</p>
Page 91	Page 93
<p>1 So I left it alone.</p> <p>2 Q. Did he tell you that anybody else said 3 that, or was it just Emily and Don?</p> <p>4 A. He only worked with Emily and Don.</p> <p>5 Q. My question to you, did he say that --</p> <p>6 A. I didn't ask about anybody else. I only 7 worked for Emily and Don.</p> <p>8 Q. Did you ever report what you're describing 9 as prescriptions without dates to anyone 10 other than Emily and Don?</p> <p>11 A. Danielle in Nashville -- and I don't 12 remember her last name, but she was the 13 regional manager or Emily and Don -- when 14 she'd call and ask, said, you need to 15 hurry up and get these claims to be 16 billed; they're on the file too long. And 17 I said, well, I can't do anything without 18 any dates.</p> <p>19 Q. And what did she say?</p> <p>20 A. Well, you're the administrative assistant; 21 you need to tell Emily and Don that they 22 need to get dates. So I'm in the middle 23 between that.</p>	<p>1 child. For whatever the child's 2 disability, the doctor has to see it and 3 determine, does this child need a certain 4 type of wheelchair? When he determines 5 what type of wheelchair this child needs, 6 he goes to the PT. The PT determines what 7 type of attachments, what type of 8 equipment this child needs according to 9 their disability. Then from the PT, it's 10 a progress note that's written in there by 11 the doctor with the same date. There's a 12 progress note written by the PT telling 13 about the assessments. So it goes through 14 a whole sequence of people.</p> <p>15 Q. Let me see if I understand you. The 16 prescription originates from a child going 17 to a doctor when that child needs a 18 wheelchair or needs to be assessed for a 19 wheelchair; is that correct?</p> <p>20 A. These were children -- that's correct. 21 These were children who actually their 22 only capability of getting around was 23 their wheelchair.</p>

24 (Pages 90 to 93)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 94	Page 96
<p>1 Q. Okay. So the doctor would send the child</p> <p>2 to a physical therapist and ask the</p> <p>3 physical therapist to determine exactly</p> <p>4 what type of wheelchair works best for</p> <p>5 that child?</p> <p>6 A. They actually go to a clinic. This was a</p> <p>7 clinic the doctor works in, so actually,</p> <p>8 the physical therapist was located in that</p> <p>9 clinic also. The PT and the social</p> <p>10 worker, all of them were located in there</p> <p>11 together. So all the assessments and all</p> <p>12 the -- the social worker that they deal</p> <p>13 with, all of this is done in the same day</p> <p>14 when the child is in that clinic.</p> <p>15 Q. What clinic are you talking about?</p> <p>16 A. There's several clinics. There's one in</p> <p>17 Dothan; there's one in Opelika; there's</p> <p>18 one in Montgomery. Children Rehab</p> <p>19 Services; it's all clinics.</p> <p>20 Q. Is the Dothan one -- what's the name of</p> <p>21 the Dothan one?</p> <p>22 A. Children Rehab Center of Dothan, Alabama.</p> <p>23 Q. What's the one in Montgomery?</p>	<p>1 A. No.</p> <p>2 Q. Was there ever one that you got without a</p> <p>3 date from Opelika?</p> <p>4 A. I -- you know, I didn't just actually just</p> <p>5 look at it from Opelika or anything like</p> <p>6 that. The one I noticed -- because Jerry</p> <p>7 -- first of all, Jerry Sanders worked at</p> <p>8 the one here, so Jerry Sanders did his</p> <p>9 own. Jerry Sanders was in Medicaid, and</p> <p>10 he worked with Emily together. They go to</p> <p>11 clinics together; they go see a child</p> <p>12 together on certain days of the week. So</p> <p>13 I never got to see those at all, because</p> <p>14 Jerry Sanders gave those directly to Emily</p> <p>15 and Emily worked on them.</p> <p>16 Q. Is Jerry Sanders a Medicaid employee?</p> <p>17 A. Jerry Rogers, I'm sorry. Yeah, he's a</p> <p>18 Medicaid employee.</p> <p>19 Q. So you never saw any prescriptions from</p> <p>20 Montgomery that did not have a date?</p> <p>21 A. I never saw those, period. They were</p> <p>22 never given to me.</p> <p>23 Q. Okay. Opelika, did you ever see any of</p>
Page 95	Page 97
<p>1 A. Children Rehab Center in Montgomery,</p> <p>2 Alabama.</p> <p>3 Q. And the one in Opelika?</p> <p>4 A. Same, Children Rehab Services in Opelika.</p> <p>5 Q. Did you receive prescriptions from any</p> <p>6 other entities or individuals other than</p> <p>7 those three?</p> <p>8 A. The only one that I talked with was Mike</p> <p>9 Maddox. I received a prescription from --</p> <p>10 I'm sure from all of them.</p> <p>11 Q. Any other clinics that you received</p> <p>12 prescriptions from --</p> <p>13 A. Yes.</p> <p>14 Q. -- for wheelchairs for children?</p> <p>15 A. Yes.</p> <p>16 Q. What?</p> <p>17 A. All three of those clinics. Just that.</p> <p>18 No other besides them.</p> <p>19 Q. Okay. Those are the only three?</p> <p>20 A. Those are the only three that I worked</p> <p>21 with.</p> <p>22 Q. Of those three, did all of them come in</p> <p>23 without dates on them?</p>	<p>1 those prescriptions without a date?</p> <p>2 A. You know, I could have. I just don't</p> <p>3 remember.</p> <p>4 Q. Do you recall today having seen a</p> <p>5 prescription from Opelika --</p> <p>6 A. I don't know --</p> <p>7 Q. Let me finish my question, please, ma'am,</p> <p>8 or we'll never have a clean record. Do</p> <p>9 you remember as you sit here today ever</p> <p>10 seeing a prescription from Opelika --</p> <p>11 A. What did you say?</p> <p>12 MS. NICKSON: Hold on.</p> <p>13 Q. I said let me finish asking my question</p> <p>14 before you answer or we'll never have a</p> <p>15 clear record here.</p> <p>16 MS. NICKSON: Okay. Could I --</p> <p>17 Elizabeth, let the counselor</p> <p>18 finish --</p> <p>19 THE WITNESS: I didn't understand</p> <p>20 what he said.</p> <p>21 MS. NICKSON: -- the question.</p> <p>22 Okay. But just let him --</p> <p>23 what he's saying is that the</p>

25 (Pages 94 to 97)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 98	Page 100
<p>1 court reporter cannot record 2 your statement and his 3 statement if you're talking 4 simultaneously, okay, so let 5 him finish the question, 6 then you answer. 7 Q. As you sit here today, do you ever recall 8 receiving a prescription from Opelika that 9 did not have a date on it? 10 A. I don't remember. 11 Q. Are you saying that whatever prescriptions 12 you saw without dates came from Dothan? 13 A. I'm not saying that. 14 Q. What are you saying? 15 A. I'm saying that when I came across one of 16 those prescriptions that didn't have a 17 date on it, it was Mike Maddox being the 18 PT. 19 Q. Mike Maddox was the only PT that provided 20 you with prescriptions that had no dates? 21 A. I'm not saying that either. 22 Q. What are you saying? 23 A. I'm saying that is the only one that I</p>	<p>1 A. I don't remember. But I've talked to 2 several of them in different clinics on 3 several different things -- dates or 4 progress notes or even estimates. There's 5 a lot of things that I talked to them 6 about, but I just know that some things 7 that didn't have a date -- only one that I 8 noticed that didn't have a date on it was 9 on two prescriptions at that time, and 10 that was Mike Maddox. I don't know of 11 anything other than that. 12 Q. Okay. And these two prescriptions from 13 Mike Maddox, those are the ones that you 14 talked to Emily about? 15 A. Yeah. 16 Q. And when you spoke with Emily, what did 17 she say? 18 A. Emily told me the first time, well, go 19 ahead and put this date on there. I said, 20 no, I'm not going to; you put the date on 21 it. The second time Emily said, don't 22 worry about it; she'll take care it; just 23 put the chart on her desk. So I never</p>
Page 99	Page 101
<p>1 noticed was from Mike. 2 Q. And how many did you notice from Mike? 3 A. Well, I talked to Mike twice. 4 Q. Is that to say that he had two 5 prescriptions without dates? 6 A. To say that, can you provide me a 7 prescription with a date. 8 Q. You called Mike Maddox and said, Mike, can 9 you provide me with a prescription with a 10 date? 11 A. Yeah. I told him I was going to the chart 12 to get it sent off to Medicaid, and I 13 noticed there was a prescription without a 14 date; can you fax me the prescription with 15 a date. 16 Q. And that happened two times? 17 A. I talked to him twice, yes. 18 Q. Okay. And was it concerning two 19 prescriptions, two separate prescriptions? 20 A. Two separate. 21 Q. Is there anyone else that you spoke with 22 about prescriptions that did not have 23 dates?</p>	<p>1 asked any other questions about it, no. 2 Q. Okay. And as you sit here today, you do 3 not know the names of the patients that 4 these concerned? 5 A. No. 6 Q. Did you and Emily ever discuss dates 7 again? 8 A. No. After Mike Maddox told me that the 9 second time -- 10 Q. I'm talking about Emily. Did you and 11 Emily ever discuss -- 12 A. Well, there was no reason for me to. 13 Q. Okay. Now, you had a conversation with 14 Mike Maddox when you called back about one 15 of these dates; is that right? 16 A. Yes. 17 Q. And at that time -- do you remember -- I 18 guess it was the first prescription that 19 you called him back that didn't have a 20 date on it? 21 A. I don't remember if it was the first or 22 second. Well, it could have been the 23 first one because --</p>

26 (Pages 98 to 101)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 102	Page 104
<p>1 Q. But you don't remember?</p> <p>2 A. It could have been the first one, because</p> <p>3 I probably didn't even notice it until</p> <p>4 Medicaid sent it back to me. I -- I think</p> <p>5 it was. Medicaid sent it back to me, and</p> <p>6 they always -- it goes to EDS, and EDS</p> <p>7 sent it back and said, this is what's</p> <p>8 missing. And that's when I looked and</p> <p>9 said, well, okay, there's no date on it.</p> <p>10 They're the ones that informed me there</p> <p>11 was no date on it.</p> <p>12 Q. And is that what caused you to call Mike</p> <p>13 Maddox?</p> <p>14 A. Yes.</p> <p>15 Q. What did you and Mike discuss?</p> <p>16 A. Can you fax me a prescription of the day</p> <p>17 he wrote for that child -- can you fax it</p> <p>18 to me with a date on it. Can you give me</p> <p>19 the same prescription with a date on it.</p> <p>20 Q. And what can he say?</p> <p>21 A. He told me that Emily and Don said never</p> <p>22 put any dates on there, that he never had</p> <p>23 been putting any dates on it.</p>	<p>1 after --</p> <p>2 Q. So Danielle would say, we've got this out</p> <p>3 standing charge here?</p> <p>4 A. We've got this outstanding chart that</p> <p>5 needs to be sent to Medicaid and we need</p> <p>6 to get it approved so we can put it on the</p> <p>7 books and do a data of how many sent out</p> <p>8 in the same day, what is the estimate,</p> <p>9 everything. It calculates in the</p> <p>10 computer. So you have to go into the</p> <p>11 computer and say, I sent it to Medicaid,</p> <p>12 and it calculates the total of it, you</p> <p>13 know, the chair and the estimates and</p> <p>14 everything. But you have to put all that</p> <p>15 stuff in there.</p> <p>16 Q. Okay. And the discussion of dates came up</p> <p>17 with Danielle?</p> <p>18 A. Yeah, I told Danielle. She asked me about</p> <p>19 that chart, that one chart. And I said,</p> <p>20 well, it doesn't have a date on it, so --</p> <p>21 and she said, well, you're the</p> <p>22 administrative assistant; you need to tell</p> <p>23 Emily and Don that, you know, to get that</p>
Page 103	Page 105
<p>1 Q. What else did y'all discuss?</p> <p>2 A. Nothing else. I said okay.</p> <p>3 Q. Did you ever talk to him again?</p> <p>4 A. No, I never talked to Mike again.</p> <p>5 Q. And you said that you reported to Danielle</p> <p>6 one time about dates?</p> <p>7 A. Danielle would do progress on what's been</p> <p>8 -- you know, what's -- like a report of</p> <p>9 what they received from Medicaid on each</p> <p>10 branch they had, how many they have</p> <p>11 outstanding, how many have been approved,</p> <p>12 you know, their quota, what quota they</p> <p>13 have to meet for each month and all that</p> <p>14 necessary stuff. And so when there's a</p> <p>15 charge that's been outstanding from there,</p> <p>16 then she'll call me and say, hey, we need</p> <p>17 to get this chart done. Taking into</p> <p>18 effect that I was coming in after a young</p> <p>19 lady who worked there a year before me</p> <p>20 permanently, so I was actually working on</p> <p>21 some of her old charts. Chasely Weeks.</p> <p>22 Q. What -- what --</p> <p>23 A. And I was hired temporary in her position</p>	<p>1 date on there; Emily needs to get that</p> <p>2 date. I said, I'll tell Emily. So I left</p> <p>3 it alone.</p> <p>4 Q. You said, tell Emily yourself?</p> <p>5 A. No. I said, I told -- I've spoken to</p> <p>6 Emily. And Danielle said, then I will</p> <p>7 speak to Emily.</p> <p>8 Q. Okay. Is that the end of that</p> <p>9 conversation?</p> <p>10 A. Yeah.</p> <p>11 Q. So you didn't tell Danielle in that</p> <p>12 conversation that Emily had told you to</p> <p>13 put a date on it?</p> <p>14 A. No. I told -- that was the first -- I</p> <p>15 never talked to Danielle until she called,</p> <p>16 and she only talked to me about one first</p> <p>17 thing. Emily -- I found out from Mike</p> <p>18 Maddox on the second phone call that I</p> <p>19 called him and he told me that -- don't</p> <p>20 put a date on it. Danielle called me</p> <p>21 about the first one -- it had been on</p> <p>22 their books for about a year before I even</p> <p>23 started, and then -- I didn't even know</p>

27 (Pages 102 to 105)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 106	Page 108
<p>1 about it until she told me to pull the 2 chart, and it had on there it didn't have 3 a date on it. And when I talked to Emily 4 about it, Emily said, put a date on it. 5 And I said -- and Danielle said, tell 6 Emily that she needs to go and get a date 7 -- what date the child can was in there. 8 And I said, I told Emily, and then she 9 said she'll talk to Emily. That was the 10 very first time. I hardly ever spoke to 11 Danielle at all. When I talked to Mike 12 Maddox again, the second time about 13 another date, that's when he told me, and 14 after that, I was gone two days later. I 15 never talked to Danielle again about that. 16 Q. Okay. You never reported to Danielle that 17 Mike Maddox said -- 18 A. I was gone two days later. I wasn't 19 getting involved in that. 20 Q. Were there any other irregularities, as 21 you've described them, with the orders? 22 A. As far as an order that one of them didn't 23 have a strap across a child. A child fell</p>	<p>1 and rolled down the hill. He weighed 360 2 pounds. And the father called -- and I 3 answered the phone call -- tell me what 4 happened. And the police had to come and 5 help get him up out of the street because 6 he was so heavy. And they had to go out 7 there and -- still had to go out there and 8 work on the chair and put a strap on it. 9 Q. So is that two chairs that didn't have 10 straps on them? 11 A. There were only two that were brought to 12 my attention because they called. 13 Q. Any other irregularities? 14 A. Don built the chairs. I wouldn't even 15 know about anything wrong with the chairs 16 unless the customer -- or their mother or 17 somebody called. And I'd have to put it 18 on a note and give it to them. 19 Q. Were there any other issues regarding 20 paperwork that was filed with Medicaid or 21 Medicare? 22 A. They would send it back. So all I know is 23 Jerry -- there was another Jerry Sanders</p>
Page 107	Page 109
<p>1 out of the chair and cracked his skull 2 because they didn't have a strap on him. 3 Q. Okay. Any others? 4 A. And -- the only one I can remember, 5 another irregularity, was a father -- this 6 father or somebody that ran some kind of a 7 home for kids -- 8 Q. A father ran a home for kids? 9 A. It's some kind of place where -- 10 MR. WALKER: St. Jude's? 11 A. It's somewhere in Montgomery where people 12 -- kids stay there. And this one guy, all 13 I knew, his name was Robert, and he 14 weighed -- because Don told me about him. 15 He weighed about 360 pounds, and his name 16 was -- he lived in this place, and I hear 17 him talking about Father -- 18 MR. WALKER: Manuel? 19 THE WITNESS: Yeah, Manuel. 20 Father Manuel. 21 A. And the day that Don went there before I 22 left, to give him his chair, he didn't 23 have a strap on it, and he fell out of it</p>	<p>1 before he left. He'll call and say, they 2 only sent me one estimate; I need three 3 estimates from three different companies 4 giving an estimate about a wheelchair; I 5 need another estimate. Or this 6 prescription in his account is too old; we 7 need to get a new subscription -- or 8 prescription, excuse me. Jerry Sanders 9 worked with them a lot. Jerry Rogers 10 approved National Seating. And Emily gave 11 me names that she needed extensions on and 12 told me who to call, so I have to call 13 Felicia Barrow and ask for an extension. 14 And they asked for a reason, and Emily 15 said because -- she wrote down because the 16 mother wasn't in the clinic or the child 17 didn't show up in the clinic or whatever. 18 And as I recall, I think I told 19 Danielle about Robert, the one that fell 20 out of the chair, because she called there 21 one day asking for Don. I said, well, 22 Father -- somebody called and said he 23 rolled down the hill out of his</p>

28 (Pages 106 to 109)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 110	Page 112
<p>1 wheelchair, and Don had to go out there 2 and take care of his wheelchair. So I 3 remember mentioning that to Danielle. 4 Q. Okay. So you said that Emily would give 5 you names of patients that National 6 Seating needed an extension on? 7 A. Some of them, when it's been sitting there 8 for a long time that she said Chasely 9 Weeks didn't complete, she'll say, tell 10 them I need an extension on it. And she'd 11 write it on a piece of paper, and I'd have 12 to call Felicia and fax it over to her. 13 Emily would write it down on a piece of 14 paper, and then I'd fax it over to her. 15 Q. What would Emily write on a piece of 16 paper? 17 A. She had all the names and the reason why. 18 Q. And do you question whether the reasons 19 were valid reasons? 20 A. No, I -- no. There was no reason for me 21 to. 22 Q. I mean was there anything dishonest about 23 what Emily did, asking for an extension?</p>	<p>1 the wheelchairs were there; they were 2 loaned out to some of their friends. 3 Q. Who were they loaned out to? 4 A. Don told me one lady that's been a 5 customer of theirs -- I can't remember her 6 name, but her husband owns so much stuff 7 here in Montgomery, and he had a special 8 wheelchair that he needed. And another 9 place, this Mother Theresa -- some Theresa 10 lady kept calling about a wheelchair, and 11 they had a big discrepancy about that, Don 12 and Emily and she did. The wheelchair was 13 actually -- it was loaned out to somebody 14 else and that child needed that wheelchair 15 that was in that home. Because I can 16 remember Mother -- I guess Sister Theresa 17 called and checked on the information they 18 gave her and it wasn't -- that Emily and 19 Don provided to her, and it wasn't 20 correct. So they had a big discrepancy 21 and then Emily said that she was not going 22 to deal with any of her patients anymore; 23 she just wasn't going to do it.</p>
Page 111	Page 113
<p>1 MS. NICKSON: Object to the form. 2 A. Repeat that. 3 Q. Is there anything wrong with asking for an 4 extension? 5 A. No, there's nothing wrong with asking for 6 an extension, not that I know of. That's 7 the Medicaid policy, so... 8 Q. You have to ask for an extension if the 60 9 days has come and the wheelchair has not 10 been delivered; is that correct? 11 A. Yes, but what is the reason for them not 12 to have a wheelchair in 60 days? 13 Q. I don't know. I'm asking you. 14 A. See, those were charts that Chasely Weeks 15 had. The charts that I actually worked on 16 were some old that Chasely had. One old 17 one I noticed there was no prescription 18 date on that. The new ones that came in, 19 there was no valid reason for that. 20 Q. No valid reason for what? 21 A. Asking for an extension. 22 Q. Why do you say there was no valid reason? 23 A. Because there was on two occasions where</p>	<p>1 Q. The process of asking for an extension, 2 it's a process that's built into the whole 3 procedure for getting Medicaid to pay for 4 things, isn't it, if you haven't delivered 5 a wheelchair in time? 6 A. Well, Medicaid -- it's in their policy; 7 they want to know the reason. It's 8 Medicaid's responsibility to check up on 9 the reasons if they want to do so. 10 Q. Is it true that when an order or a 11 prescription is placed for a wheelchair, 12 that that wheelchair is supposed to be 13 delivered within 60 days? 14 A. Yes. 15 Q. And if it's delivered within -- 16 A. Approved or delivered within 60 days. 17 Q. Okay. Approved by Medicaid and delivered 18 within 60 days, correct? 19 A. Yes. They can give a pre-approval so they 20 can go ahead and order their equipment. 21 And all that just takes place within 60 22 days. 23 Q. Okay. If the wheelchair is not delivered</p>

29 (Pages 110 to 113)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 114	Page 116
<p>1 within 60 days, National Seating has to 2 seek an extension on the original order or 3 they've got to go out and get a whole new 4 prescription; is that correct? 5 A. They have to go back and -- period. If 6 they're not even -- if -- only way they 7 can get an extension, if the wheelchair is 8 there and she says that, you know, the 9 mother wasn't in the clinic, whatever. 10 That's the only way they can get an 11 extension. Now, as far as the other way 12 -- 13 Q. Is it the wheelchair is there but has not 14 been delivered? 15 A. And they tried to make several attempts to 16 deliver it, to the mother, at the clinic, 17 for the child. 18 Q. Okay. So it's in the shop but can't -- 19 for some reason can't be delivered? 20 A. The mother doesn't show up at the clinic 21 with the child in order to place it, or 22 there's been other incidents where I know 23 that maybe one of the providers who</p>	<p>1 faxed to Medicaid -- 2 A. To -- yeah, to the prior approval 3 department. 4 Q. And the prior approval department was run 5 by Felicia Brown? 6 A. Felicia Barrow. She was the director. 7 Q. I'm sorry, Barrow. So it wouldn't go to 8 her, then? 9 A. Yeah, she'd get some extensions that were 10 very, very crucial, because Emily said, 11 fax it directly to her and tell her, you 12 know, this is very crucial. Only crucial 13 stuff that she needed an immediate 14 extension on, she told me to fax it 15 directly to Felicia. And Felicia would 16 give it to whoever was working on that 17 patient or had that patient in Medicaid, 18 their social rep, whatever, like Jerry 19 Sanders or Jerry Rogers. 20 Q. Are those two different people? 21 A. They are. 22 Q. Okay. Felicia Barrow would consider the 23 extension and grant it or deny it, and if</p>
Page 115	Page 117
<p>1 provided parts for the wheelchair had it 2 on back delay. 3 Q. Okay. Give me some other examples for why 4 an extension might be necessary. 5 A. Those are ones that I came across. Now, 6 as far as having the wheelchair there and 7 you just don't deliver it, then that's 8 when Medicaid asks why did they get 9 delivery tickets themselves. 10 Q. I'm sorry. I'm not following. What? 11 A. Now, as far as having the wheelchair there 12 and the reason why they have not delivered 13 and Emily hasn't provided them with any 14 information as far as the mother was not 15 there or the child was not there, then 16 Medicaid will show that -- they get a 17 delivery ticket showing that it was 18 delivered, and sometimes it wasn't 19 delivered at that time. So they start 20 questioning them. I was out of the loop 21 on that. 22 Q. Okay. So when an extension was sought, 23 the request for an extension would be</p>	<p>1 she granted it, she would send it on? 2 A. She has to go to the Medicaid person who 3 is working with that child and look 4 through all the documents or they'd have 5 to provide her with something before she 6 would grant it. 7 Q. Who is they? 8 A. Jerry Sanders or Jerry Rogers. 9 Q. So Jerry Sanders or Rogers -- 10 A. There were others too that worked out -- 11 those two names are the ones that come to 12 -- because I worked with them -- Jerry 13 Sanders a lot. I worked with him in 14 Medicaid. 15 Q. So Jerry Sanders and Jerry Rogers would be 16 the ones who would have to give Felicia 17 Barrow the information necessary to grant 18 the extension? 19 A. Sometimes; sometimes not. 20 Q. Well, who else would give -- 21 A. Sometimes Felicia would go off of what 22 Emily would write on that piece of paper. 23 Q. Okay. And I'm still trying to find out</p>

30 (Pages 114 to 117)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 118	Page 120
<p>1 what you're saying. Are you saying that</p> <p>2 Emily knowingly gave false information to</p> <p>3 Medicaid about why deliveries hadn't taken</p> <p>4 place?</p> <p>5 A. I'm not saying that.</p> <p>6 Q. Are you saying that Don Williams knowingly</p> <p>7 gave false information to Medicaid about</p> <p>8 why chairs hadn't been delivered?</p> <p>9 A. I'm not saying that either.</p> <p>10 Q. I don't understand what you're saying</p> <p>11 then.</p> <p>12 A. I'm saying that I only faxed what they</p> <p>13 told me to. I didn't even know any of</p> <p>14 this stuff until after -- they contacted</p> <p>15 me six months after I had left there.</p> <p>16 Q. Who contacted you six months after you</p> <p>17 left?</p> <p>18 A. Medicaid contacted me.</p> <p>19 Q. Why?</p> <p>20 A. Because they found some discrepancy in</p> <p>21 their billing, so they contacted me and</p> <p>22 they tried to get ahold of Chasely Weeks</p> <p>23 who worked there before me. I was only a</p>	<p>1 So they went back and looked at some of</p> <p>2 their paperwork that was submitted,</p> <p>3 because you have to write your name on</p> <p>4 there. So they know -- my name was on</p> <p>5 some of the documents that they approved I</p> <p>6 had worked with, and Chasely Weeks' name</p> <p>7 was on some. So they contacted me and</p> <p>8 found me six months later. So I never</p> <p>9 started an investigation. I didn't even</p> <p>10 know it was going on.</p> <p>11 Q. Do you remember when it was that you were</p> <p>12 first contacted? You're saying six</p> <p>13 months, but do you remember --</p> <p>14 A. Maybe six months. Because I went -- I</p> <p>15 left EDS; I started Hyundai in February of</p> <p>16 2005. I was working at EDS. I started</p> <p>17 EDS in July, because I left -- they hired</p> <p>18 me permanently. That's when I left them</p> <p>19 -- well, that's when I quit my temporary</p> <p>20 job. So --</p> <p>21 Q. So you were working at EDS in July of</p> <p>22 2004?</p> <p>23 A. 2000 --</p>
Page 119	Page 121
<p>1 temporary assignment.</p> <p>2 Q. Well, who had started the investigation</p> <p>3 with Medicaid?</p> <p>4 A. I have no idea. I was gone.</p> <p>5 Q. Didn't you actually start the Medicaid</p> <p>6 investigation?</p> <p>7 A. No, sir, I did not.</p> <p>8 Q. Didn't you report to Medicaid that there</p> <p>9 were some discrepancies going on?</p> <p>10 A. I never told Medicaid nothing. I left</p> <p>11 there and didn't tell them anything. And</p> <p>12 that was stated in court, when we went to</p> <p>13 court in September. I never said</p> <p>14 anything.</p> <p>15 Q. Well, how is it that Medicaid came to</p> <p>16 contact you?</p> <p>17 A. Because some of the things -- Felicia</p> <p>18 talked to me during the time I worked</p> <p>19 there on my temporary assignment. A lot</p> <p>20 of things I faxed over to her, she would</p> <p>21 call and say she received them or</p> <p>22 whatever, and she got my name. Chasely</p> <p>23 Weeks worked there a year before I did.</p>	<p>1 Q. 5?</p> <p>2 A. -- 4. Yeah, because I started -- I moved</p> <p>3 here in 2004. Yeah. So I went to EDS in</p> <p>4 July of that same -- yeah, I did.</p> <p>5 Q. Okay. And did you --</p> <p>6 A. So I can remember -- I'm not quite for</p> <p>7 sure, but the first time I was ever</p> <p>8 contact about someone like that was about</p> <p>9 -- and from my understanding was -- it was</p> <p>10 Cliff Johnson. And they had had an</p> <p>11 ongoing investigation on them because</p> <p>12 Chasely Weeks had called them about some</p> <p>13 -- Chasely Weeks started it. She called</p> <p>14 them about something, and then she got</p> <p>15 fired or whatever. So they were trying to</p> <p>16 locate Chasely Weeks, and then they</p> <p>17 noticed that I took the temporary position</p> <p>18 after she was gone, and so they located me</p> <p>19 through Kelly Services, actually. And --</p> <p>20 Q. So they never could find Chasely?</p> <p>21 A. From my understanding, they -- it was</p> <p>22 another investigator who found her later.</p> <p>23 Q. In the meantime, Cliff Johnson had found</p>

31 (Pages 118 to 121)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 122	Page 124
<p>1 you?</p> <p>2 A. Yeah, they called me.</p> <p>3 Q. And were you still at EDS at the time, or</p> <p>4 had you already started at Hyundai?</p> <p>5 A. I was working at Hyundai.</p> <p>6 Q. And what did Cliff Johnson tell you?</p> <p>7 A. Well, he just said that -- it was Cliff</p> <p>8 Johnson and Felicia Barrow. They had run</p> <p>9 up on some paperwork that was not -- that</p> <p>10 didn't have any dates on it or whatever</p> <p>11 and they had talked to Mike Maddox and</p> <p>12 Mike Maddox had told them -- they were</p> <p>13 doing their own investigation, so -- and</p> <p>14 they asked me did I know of anything, you</p> <p>15 know, while I was working there, why was</p> <p>16 there never any dates on there. And, you</p> <p>17 know, so that's how I became involved;</p> <p>18 they contacted me.</p> <p>19 Q. And so you gave them an interview?</p> <p>20 A. I only talked to them on the telephone.</p> <p>21 Q. Did they ask to meet with you in person?</p> <p>22 A. No.</p> <p>23 Q. Never?</p>	<p>1 issues like that. So they knew each other</p> <p>2 from working in law enforcement, so he</p> <p>3 asked him was there anything I was</p> <p>4 involved in that Hyundai had to be</p> <p>5 concerned, and Mike Reeder (phonetic) said</p> <p>6 no, it's just some information that was --</p> <p>7 you know, just getting some clarification</p> <p>8 on some information that was turned over</p> <p>9 to us by Medicaid. No, she has nothing to</p> <p>10 do with it; it was just she worked there</p> <p>11 on a temporary assignment and we need to</p> <p>12 ask her some questions. And I was</p> <p>13 contacted by General Affairs.</p> <p>14 Q. Okay. And so they got you to go meet with</p> <p>15 Mike -- is it Reeder or Roeder?</p> <p>16 A. I think it was -- I thought his name was</p> <p>17 Mike Roeder or -- Roeder, R-O-E-D-E-R,</p> <p>18 something like that.</p> <p>19 Q. Okay. And did you meet with him there at</p> <p>20 Hyundai?</p> <p>21 A. He called me on the phone after I got</p> <p>22 through talking to General Affairs, and</p> <p>23 they told me that he had explained to them</p>
Page 123	Page 125
<p>1 A. No. They just told -- my understanding</p> <p>2 is, is that later, I had a message from</p> <p>3 Mike Roeder, leaving a message on my -- at</p> <p>4 home for me to contact him regarding some</p> <p>5 information that the State of Alabama had</p> <p>6 turned over to them. So --</p> <p>7 Q. Mike Roeder?</p> <p>8 A. He was an assistant to Gerry Shockley. I</p> <p>9 never met him. He worked in the attorney</p> <p>10 general's office. All I know, he was</p> <p>11 retiring in a couple of days after I met</p> <p>12 him and talked with him.</p> <p>13 Q. So you met with Mike Roeder?</p> <p>14 A. Uh-huh, because Mike went my job. Felicia</p> <p>15 gave him my name to contact and gave</p> <p>16 Chasely Weeks to contact. Well, he</p> <p>17 contacted me at Hyundai. He went through</p> <p>18 General Affairs and he talked to Larry --</p> <p>19 one of the guys used to be chief of police</p> <p>20 here, who has actually worked -- who is</p> <p>21 actually over General Affairs at Hyundai.</p> <p>22 And in order to get to me, you have to go</p> <p>23 through General Affairs on any kind of</p>	<p>1 that, no, there was nothing that I was</p> <p>2 involved in or anything like that and he</p> <p>3 just had some questions about my previous</p> <p>4 employment. So I spoke to him that night.</p> <p>5 And I said, well, I go to lunch at 11</p> <p>6 o'clock, you know; I'd be more than happy</p> <p>7 to meet you at the gate at 11 o'clock.</p> <p>8 The day we met -- which I don't</p> <p>9 remember -- which all the information was</p> <p>10 given to Hyundai General Affairs. So he</p> <p>11 and I -- I met him at the gate. We went</p> <p>12 to Subway, and we were there for like 30,</p> <p>13 35 minutes. He pulled out this long</p> <p>14 sheet. He told me that Medicaid has found</p> <p>15 -- Mike said found something with a</p> <p>16 discrepancy; there wasn't no dates. And</p> <p>17 it was dated back in 2002. And I said, I</p> <p>18 wasn't there in 2002 at all. I said, I</p> <p>19 know nothing about this. It's a whole</p> <p>20 long sheet of paper with a whole lot of</p> <p>21 names on it, several pages. And I said, I</p> <p>22 don't know anything about that. And I</p> <p>23 said, I just moved here in March of 2004,</p>

32 (Pages 122 to 125)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 126	Page 128
<p>1 and I started working temporary with them</p> <p>2 in 2004. And I said, the only thing I can</p> <p>3 remember is lately -- in May and June, it</p> <p>4 was just, you know, some prescriptions</p> <p>5 didn't have any dates on them --</p> <p>6 Q. Referring to the two we've talked about?</p> <p>7 A. Yeah. And I said, as there was some</p> <p>8 discrepancy in the quotes, because Jerry</p> <p>9 Sanders kept calling saying that they keep</p> <p>10 sending him the same quotes for the</p> <p>11 wheelchair. He needed three, and he kept</p> <p>12 calling me and asking me, we need another</p> <p>13 quote; we need another quote. And I said,</p> <p>14 as far as before I got there -- when I</p> <p>15 first started there, there was a stack of</p> <p>16 charts that was on the desk. And Emily</p> <p>17 said, well, these were the charts that we</p> <p>18 caught Chasely trying to take out to give</p> <p>19 to Medicaid because she was trying to get</p> <p>20 them in trouble. So they were sitting</p> <p>21 there, and I never worked on those.</p> <p>22 Q. You just lost me on that one.</p> <p>23 A. Mike Reeder said that -- or Roeder said</p>	<p>1 -- I think we discussed the one about the</p> <p>2 strap that was not on Robert -- his name</p> <p>3 was Robert -- and then the one that they</p> <p>4 were being sued with Jerry Sanders -- I</p> <p>5 mean Jerry Rogers was involved in that,</p> <p>6 about -- the one that National Seating was</p> <p>7 being sued and that child didn't have a</p> <p>8 strap on him. And then -- like I said,</p> <p>9 Jerry Rogers was involved in that because</p> <p>10 -- and Don -- this was coming out of Don's</p> <p>11 mouth, because I -- the sheriff's</p> <p>12 department delivered me the papers to sign</p> <p>13 for the -- that they were suing them, and</p> <p>14 I had to sign for them. It was a</p> <p>15 subpoena, whatever it was, and I had to</p> <p>16 sign for them; Emily wasn't in the office.</p> <p>17 Don came in later and I handed it to him.</p> <p>18 He opened it up, and he said -- I'm</p> <p>19 standing there with him and we were</p> <p>20 reading it together. It was -- I think</p> <p>21 the child's name was Coby. I can remember</p> <p>22 his first name being Coby. And his</p> <p>23 parents were suing them because he fell</p>
Page 127	Page 129
<p>1 that Medicaid turned over an investigation</p> <p>2 to their office to look into and that they</p> <p>3 had been having National Seating under an</p> <p>4 investigation for about a year. That was</p> <p>5 told to me. So he asked me do I know of</p> <p>6 any people on this -- he had a list of</p> <p>7 people several pages -- four or five, I</p> <p>8 don't know, maybe eight pages -- a whole</p> <p>9 lot of people dating back to 2002. I</p> <p>10 said, I was not here in 2002; I just moved</p> <p>11 here in 2004, so I know nothing about</p> <p>12 anything. So he showed an amount on a</p> <p>13 piece of paper that they had billed, what</p> <p>14 they had billed from 2002 up until 2004</p> <p>15 that Medicaid had paid out to National</p> <p>16 Seating. I said, I don't know anything</p> <p>17 about that or these people back during</p> <p>18 this date. I said, I just started working</p> <p>19 there in 2004. And I said, only thing I</p> <p>20 know I can recall is -- we discussed</p> <p>21 prescriptions; we discussed some quotes</p> <p>22 not being provided by three different</p> <p>23 people who do the wheelchairs. And I said</p>	<p>1 out of his wheelchair. He didn't have a</p> <p>2 strap on it, and I think he cracked his</p> <p>3 skull or something of that nature. And</p> <p>4 Emily said that there was a strap that was</p> <p>5 put on him when she delivered his chair in</p> <p>6 Children's Rehab Center and that Jerry</p> <p>7 Rogers was there, and Jerry Rogers was not</p> <p>8 there.</p> <p>9 Q. You don't have any personal knowledge</p> <p>10 about this strap issue, do you? Just</p> <p>11 receiving the suit papers, that's it?</p> <p>12 A. And Don opening it up and we both were</p> <p>13 reading it.</p> <p>14 Q. And you said that you said to Roeder or</p> <p>15 Reeder or however you pronounce his name,</p> <p>16 I don't know anything; the only thing I</p> <p>17 can recall are those prescriptions that</p> <p>18 didn't have the dates, which are those two</p> <p>19 we've already talked about?</p> <p>20 A. Yes.</p> <p>21 Q. And then those things where you needed</p> <p>22 three quotes but you didn't have three</p> <p>23 quotes?</p>

33 (Pages 126 to 129)

MERRILL LEGAL SOLUTIONS
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Page 130	Page 132
<p>1 A. And I was -- several times that happened. 2 And like I said, just -- and then there 3 were some progress notes that were out of 4 date, so they needed new progress notes, 5 so I sent them like they were. When I 6 asked about the information and I couldn't 7 get it, I sent them like they were before 8 it would get to EDS and they would send 9 them back. 10 Q. And then what happened? 11 A. Either you get that information or you -- 12 you either have to write it off or you 13 have to do whatever. I don't know what 14 they did. 15 Q. You don't know what happened after that? 16 A. No. 17 Q. And you told all this to Roeder? 18 A. He asked me how the format went. I said, 19 you have 60 days; after 60 days, if you 20 don't get that stuff in, then you have to 21 go back and assess that child. But you 22 have to have the correct dates on it. 23 Q. Okay. And did you tell him that you had</p>	<p>1 and that was no dates. And then I did say 2 this to Mike, I remember, because some -- 3 you know, without even clarifying the 4 dates on there, there were a couple of 5 times when the date was not correct on 6 there and -- which I didn't even know 7 about it. Medicaid came back and said the 8 dates are not correct; you need to correct 9 the dates. And I had no idea; this was 10 stuff that Chasely had sent in. I said, 11 it all comes from Chasely; you need to 12 talk with Chasely. 13 Q. And do you know whether Chasely was doing 14 this intentionally or if she was making 15 mistakes or -- 16 A. I have no idea. 17 Q. Okay. And have you ever talked to 18 Chasely? 19 A. I never met her before in my life. 20 Q. You said that someone said that there was 21 a stack of files that you called the 22 Chasely files? 23 A. Yeah. Emily called them the Chasely</p>
Page 131	Page 133
<p>1 information about National Seating being 2 involved in any type of Medicare fraud? 3 A. Mike? 4 Q. Yeah. 5 A. I didn't even know they were involved in 6 any kind of Medicaid fraud. They 7 contacted me. 8 Q. I understand. I mean, but did you say, I 9 know that National Seating did things that 10 are considered to be Medicare fraud or 11 Medicaid fraud or anything like that? 12 MS. NICKSON: Object to the form. 13 Q. Can you answer the question? 14 A. Mike showed me papers and told me what -- 15 I know -- I just listened to Mike and told 16 Mike. 17 Q. Okay. And that's what I'm asking you. 18 Mike was telling you what their 19 investigation showed. But you never said, 20 Mike, I know some things they did that 21 were wrong; let me tell you about them. 22 Did you ever? 23 A. I just told him about those prescriptions,</p>	<p>1 files. 2 Q. What were the Chasely files? Just orders 3 that had never been filled? 4 A. She said Chasely was trying to get out of 5 National Seating with those files to take 6 them to Medicaid because Chasely -- she 7 said Chasely called Medicaid and told them 8 that there were billing errors on that and 9 she had evidence and she was going to take 10 it to them. Emily said that when I first 11 started there. 12 Q. Emily pointed to a stack of files there at 13 the office? 14 A. There was a stack of files in one corner 15 of the office. 16 Q. How many files were there? 17 A. It was a lot of files. I don't know. 18 They were just sitting there. And when I 19 first came there, I had to clean up the 20 office, file everybody's name into their 21 cabinet by the last names. So when I got 22 to those files, she said, don't touch 23 those files; those are Chasely's files.</p>

34 (Pages 130 to 133)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 134	Page 136
<p>1 Q. Why were they being kept?</p> <p>2 A. Why were they being kept?</p> <p>3 Q. Yeah. Did she ever tell you that?</p> <p>4 A. Only thing Emily told me, those were the</p> <p>5 files that Chasely was trying to take over</p> <p>6 to Medicaid and that's why she was no</p> <p>7 longer working there. It wasn't for me to</p> <p>8 know. I had no idea.</p> <p>9 Q. Emily told you that she was let go because</p> <p>10 she tried to take files over to Medicaid?</p> <p>11 A. Yeah. She was stealing.</p> <p>12 Q. She was stealing?</p> <p>13 A. Uh-huh.</p> <p>14 Q. Is that a yes?</p> <p>15 A. Yes.</p> <p>16 Q. Did you ever look in those files?</p> <p>17 A. Yes, I did.</p> <p>18 Q. What did you see?</p> <p>19 A. I just seen paperwork in them. I never --</p> <p>20 she told me don't worry about working on</p> <p>21 them, so I just looked in them so I can</p> <p>22 just put them in -- and just put them back</p> <p>23 in the corner. I had just started there</p>	<p>1 Q. Okay. What else did Emily tell you about</p> <p>2 Chasely?</p> <p>3 A. That Chasely was a smoker, that she was</p> <p>4 stealing money out of their little box</p> <p>5 that -- you know, that little box; they</p> <p>6 kept money in there so when people come in</p> <p>7 and you have to pay Fed Ex or pay</p> <p>8 something like that, that little box, that</p> <p>9 she was taking the money out of there.</p> <p>10 They keep \$100 in there, but she was</p> <p>11 stealing their money; that she had</p> <p>12 collection people calling her all the time</p> <p>13 at work. They went on and on.</p> <p>14 Q. Did you tell all this to Roeder or Reeder?</p> <p>15 A. I just said, you need to start with</p> <p>16 Chasely.</p> <p>17 Q. Did you tell Roeder about the Chasely</p> <p>18 files?</p> <p>19 A. No, because he had a whole list himself of</p> <p>20 things. I said he needs to start with</p> <p>21 Chasely. Those files -- those dates were</p> <p>22 dated way back before I even came to</p> <p>23 Alabama.</p>
Page 135	Page 137
<p>1 when it happened, so I didn't know exactly</p> <p>2 --</p> <p>3 Q. So you looked in them, you saw paperwork</p> <p>4 in them, but you didn't look at them in</p> <p>5 any kind of depth?</p> <p>6 A. No. I didn't know what she meant by those</p> <p>7 were files Chasely was trying to send over</p> <p>8 to Medicaid. You know, she never -- she</p> <p>9 just told me Chasely tried to get them in</p> <p>10 trouble with those files.</p> <p>11 Q. Do you know how Chasely tried to get them</p> <p>12 in trouble with those files?</p> <p>13 A. Chasely had called Medicaid, she said, and</p> <p>14 told them that they were doing irregular,</p> <p>15 like, billing, and they had been</p> <p>16 questioned about that before. Yeah.</p> <p>17 Q. Emily had told you that Chasely had called</p> <p>18 Medicare?</p> <p>19 A. Had called Medicaid on them and tried to</p> <p>20 report them and get them in trouble and</p> <p>21 they had been questioned about that</p> <p>22 before. They had been under investigation</p> <p>23 with Medicaid because she called them.</p>	<p>1 Q. This failure to have three quotes, are you</p> <p>2 saying that if --</p> <p>3 A. You have to have three estimates for a</p> <p>4 wheelchair.</p> <p>5 Q. For every wheelchair that goes through --</p> <p>6 A. For every wheelchair.</p> <p>7 Q. And sometimes there would not be three</p> <p>8 quotations there or three estimates?</p> <p>9 A. That's right.</p> <p>10 Q. How often did that happen?</p> <p>11 A. I don't know. Jerry Sanders called me.</p> <p>12 Q. Did you ever see it happen?</p> <p>13 A. Yeah, I saw it happen. In the chart there</p> <p>14 would not be -- sometimes there would be</p> <p>15 one estimate and it had been submitted,</p> <p>16 because they have to keep up with the</p> <p>17 first date it had ever been submitted.</p> <p>18 And so -- and they said we need --</p> <p>19 Medicaid would send them back and say, we</p> <p>20 need these quotes. You can look from the</p> <p>21 date it had been submitted before and see</p> <p>22 how long that file has been sitting out</p> <p>23 there.</p>

35 (Pages 134 to 137)

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Page 138	Page 140
<p>1 Q. Okay. And would someone get two more 2 quotes and submit it again? 3 A. I didn't. Emily would have to get those 4 -- Don was responsible for working with 5 those -- getting those quotes. 6 Q. So what Don did, you don't know? 7 A. Don was supposed to get the quotes and 8 build those little chairs and have them 9 fixed before 60 days. 10 Q. But on those cases where you didn't have 11 the three quotes, do you know what Don did 12 -- did he get the three quotes, is what 13 I'm asking you. 14 A. I don't know. 15 Q. Okay. You just know that they came back 16 from Medicaid with a complaint that there 17 were not three quotes there? 18 A. Yeah. 19 Q. You would then hand those to Don, and what 20 he did with them, you don't know? 21 A. I would hand them to Emily. Emily would 22 say, give it to Don. 23 Q. And Emily was the branch manager, right?</p>	<p>1 who, you know, conducts -- you know, and 2 gets the business for them, go and check 3 out the child or whatever. And Don -- she 4 brings him back, you know, all these 5 orders, and then she gives them to me. 6 You've got to have -- Medicaid has a 7 formal sheet -- several formal sheets you 8 have to fill out because you have to use 9 modifiers for every billing -- it's like 10 billing codes you have to use for 11 miscellaneous, for the wheelchairs, for 12 like a part and whatever. And then -- I 13 would do it, but then she'll tell Don -- 14 first of all, she'll say, Don, we've got 15 this chair, blah, blah, blah, they go over 16 the chair business and stuff. I think I 17 was the last person to get it because Don 18 would look at all the information that was 19 wrote up about who did the assessment, the 20 social worker, and all that kind of stuff, 21 and then Emily would give it to me and 22 say, we need this and that and that and 23 that to be sent to Medicaid.</p>
Page 139	Page 141
<p>1 A. And Don was her husband. 2 Q. And Don was the technician? 3 A. Yeah. 4 Q. Was technician a management position there 5 at the company or just an hourly position? 6 A. I don't know how they got paid. 7 Q. Okay. And your actual title while you 8 were working there was -- 9 A. Administrative assistant. 10 Q. What was the chain of command, then? 11 Emily was the branch manager. 12 A. Danielle -- 13 Q. Of course, Danielle was in Nashville, 14 right? 15 A. Yes. She comes down and she tells them, 16 okay, why is this still here, why is this 17 still here, what's going on with this and 18 that and that, blah, blah, blah. 19 Q. She'll do like an audit kind of thing? 20 A. Yeah. Danielle was the one who trained me 21 on the system, telling me what to look for 22 and everything like that. Emily, she goes 23 out to the rehab center, and she's the one</p>	<p>1 Q. Are you claiming that Danielle did 2 anything wrong? 3 A. Did Danielle do anything wrong? 4 Q. Uh-huh. 5 A. I didn't ever say she did anything wrong. 6 I only spoke to Danielle maybe three times 7 since I've been there. She trained me the 8 first week I was there. She'll call every 9 now and then and say -- because she sees 10 everything in the system, and sometimes 11 she calls Medicaid and finds out what's 12 going on with this chart or why haven't 13 they gotten paid for this and that. 14 Q. And you said that Emily goes out to the 15 rehab centers; she meets with everybody's. 16 The orders would come back to you, but 17 before they came back to you, Emily and 18 Don would get together and sort of look at 19 the assessment and decide what kind of 20 wheelchair was needed or -- 21 A. The wheelchair was decided before they 22 left the Children Rehab Services. 23 Q. Okay. So they would talk about what they</p>

36 (Pages 138 to 141)

MERRILL LEGAL SOLUTIONS
Court Reporting*Legal Videography*Trial Services

Page 142	Page 144
<p>1 needed in order to build that wheelchair?</p> <p>2 A. Exactly.</p> <p>3 Q. Okay. And then you would be given the</p> <p>4 actual paperwork to fill out and submit to</p> <p>5 Medicaid?</p> <p>6 A. Yeah.</p> <p>7 Q. Okay. And if you saw discrepancies in the</p> <p>8 paperwork, you would talk to someone about</p> <p>9 it?</p> <p>10 A. The first time I ever noticed a</p> <p>11 discrepancy of anything was when they</p> <p>12 didn't have any dates on the prescription.</p> <p>13 Q. Okay. And --</p> <p>14 A. Other than that, there was other stuff</p> <p>15 that was coming back to them that Chasely</p> <p>16 had sent or -- I had no idea.</p> <p>17 Q. So as far as you know, you had two come</p> <p>18 back without dates on them, and then</p> <p>19 during the three months that you were</p> <p>20 there or less than three months that you</p> <p>21 were there, some came back from Medicaid</p> <p>22 that Chasely had filled out?</p> <p>23 A. Yes. Because when it comes back and I</p>	<p>1 Q. Did you consider Don to be your boss?</p> <p>2 A. Don was not my boss.</p> <p>3 Q. He was a coworker?</p> <p>4 A. Emily is who I report to.</p> <p>5 Q. Okay. So your boss was Emily. Was --</p> <p>6 A. And our boss was Danielle.</p> <p>7 Q. And did Don also report to Emily?</p> <p>8 A. I don't know. They were husband and wife.</p> <p>9 I think they kind of worked together.</p> <p>10 Q. I mean in the normal structure of the</p> <p>11 company, does the technician report to the</p> <p>12 branch manager?</p> <p>13 A. If it was a different situation -- if he</p> <p>14 wasn't her husband -- that's the way it's</p> <p>15 supposed to go.</p> <p>16 Q. You talked about these two wheelchairs</p> <p>17 that you said were there at National</p> <p>18 Seating but that Don had loaned out to</p> <p>19 friends?</p> <p>20 A. Don told me that. It was one that Sister</p> <p>21 -- some Sister --</p> <p>22 Q. Theresa?</p> <p>23 A. I don't know. -- kept calling about. And</p>
Page 143	Page 145
<p>1 asked Emily -- because sometimes Medicaid</p> <p>2 might not send those things back until two</p> <p>3 weeks later or something at the most --</p> <p>4 that depends on how quick they work them</p> <p>5 up. And then I would get it in the mail</p> <p>6 and I would see it. Emily would say, can</p> <p>7 you work on this; this is what Chasely had</p> <p>8 sent before. And that's how I would come</p> <p>9 involved.</p> <p>10 Q. Fixing the problems that existed in</p> <p>11 Chasely's orders?</p> <p>12 A. Yeah. Because, I mean, Emily had to tell</p> <p>13 everybody else that -- you know, to</p> <p>14 contact me for any information. That's</p> <p>15 how I was contacted by Jerry Sanders from</p> <p>16 Medicaid or anything of that nature. I</p> <p>17 mean, he called constantly needing this</p> <p>18 and needing that and that and that, which</p> <p>19 I had no idea at first where you get these</p> <p>20 things from. So all my information came</p> <p>21 from -- Danielle trained me on the system;</p> <p>22 Emily trained me on who -- you know, where</p> <p>23 all the stuff was at in their office.</p>	<p>1 actually, she was the one who actually --</p> <p>2 from what I understand and from what they</p> <p>3 told me, Don had told her that the</p> <p>4 wheelchair was there, and she called and</p> <p>5 did an investigation. She called</p> <p>6 Medicaid; Medicaid said that the chair had</p> <p>7 been delivered -- showed it had been</p> <p>8 delivered so many months ago, and it</p> <p>9 turned out that it was loaned to someone</p> <p>10 else, Don said -- in general, just</p> <p>11 talking. And Sister had called down to</p> <p>12 Nashville, and -- it was just a big</p> <p>13 discussion between them, and in the end,</p> <p>14 they didn't want to do business with each</p> <p>15 other.</p> <p>16 Q. Okay. Were there any others that you said</p> <p>17 were loaned out?</p> <p>18 A. I only know two that Don said.</p> <p>19 Q. Okay. And did you ever see those</p> <p>20 wheelchairs, or was it just -- these were</p> <p>21 conversations you overheard?</p> <p>22 A. It was conversation that Don told me. And</p> <p>23 the sister kept coming. And the sister</p>

37 (Pages 142 to 145)